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# Courts Continuity of Operations (COOP) Planning Guide and Template

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Nathan Hall, NCSC Principal Court Consultant, directed this important project. The NCSC consultant team on this project included Felix Bajandas, Steven Berson, Greg Cowan, and Justin Mammen. Special recognition is offered to Justin Mammen, who was relied on extensively as a primary subject matter expert during the development of the guide and template.

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# INTRODUCTION

State courts in this country provide important “mission-essential functions” that are critical to maintaining the rule of law and providing justice and equal access for the fair and timely resolution of cases and controversies. It is imperative that these essential functions not be disrupted or compromised during or after a natural disaster or other emergency. Given the critical nature of these functions, the development of a Continuity of Operations (COOP) plan is crucial for courts to continue their mission-essential operations in the face of a natural disaster or emergency.

The development of a COOP plan can be a daunting, time-consuming assignment, one that competes with the myriad other responsibilities facing court officials and staff. This Guide is designed to be user-friendly and to make developing a COOP plan less daunting. It offers clear step-by-step instructions. Following all the steps and providing the information requested at each step will ultimately yield a complete and comprehensive COOP plan at the end of the process.

This Guide is designed to assist both seasoned court emergency managers and as well as court staff with little or no emergency management experience. Regardless of experience, this Guide will help whoever has been assigned as the COOP point person tackle this endeavor one step at a time.

## ABOUT THIS INITIATIVE

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This Guide was produced by the National Center for State Courts (NCSC) under a grant from the State Justice Institute (SJI). The SJI grant was awarded to fund the production of new court-centric materials to help courts function during an emergency or disaster. There were four “initiatives” contemplated under the grant.

The first initiative under the grant was the convening of an Emergency Management Lessons Learned Focus Group in Denver, Colorado to study: (1) what courts experiencing a recent natural disaster had previously put in place in terms of COOP planning and emergency management resources; and (2) how their respective positioning and planning affected their ability to respond to their respective disasters. The goal of the focus group was to provide an opportunity to share experiences and leverage the expertise of key court officials to improve state courts’ performance in the areas of emergency management and continuity of operations planning. A final report with recommendations from this focus group can be found on the NCSC website.

Under the second grant initiative, the NCSC provided direct technical assistance to each of the focus group participants, evaluating and providing recommendations to the court’s emergency management programs in the jurisdictions who participated in the focus group.

The third grant initiative includes this COOP Guide, which replaces the NCSC’s “Steps for COOP Planning” developed in 2007. This Guide reflects current trends in emergency management, technology, as well as all the lessons learned from the first initiative focus group. The fourth initiative under the grant will focus on the development of COOP specific tools/technology to assist courts in their continuity program.

## HOW TO USE THIS GUIDE

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This Guide is organized into the following three sections and one appendix:

**Section I – Initiating the Planning Process.** The process of planning for COOP is just as important as the plan itself. Section I includes a series of steps that a court should undertake to initiate the COOP planning process.

**Section II – Writing the Plan.** This section includes steps that will guide the court through the key elements needed for its COOP plan.

A discussion of important COOP considerations is included with each step presented. Each step also includes one or more tables for use in capturing and organizing important COOP guidance and information. These tables have been pre-populated with sample language based on a hypothetical court. Users of this Guide may choose to copy the sample language included in the tables for use developing their own COOP plan using the COOP template included in the Appendix of this guide. Hyperlinks are included to help navigate from the pre-populated tables in Section II to the corresponding blank table located in the COOP Template.

Entering information in the COOP Template, in effect, constitutes writing the court's COOP plan. When completing the tables, the examples provided may prove relevant; however, planners should assess if the pre-populated information is appropriate and relevant for their specific court system. This pre-populated information has been added to make the process of completing a COOP plan as painless and straightforward as possible; however, it must be pointed out that the process of completing a COOP plan is typically highly involving. Writing the plan as detailed in Section II will be the most time-consuming aspect of COOP planning covered in this Guide, but the effort put into it will prove to be extremely helpful in the future when the court faces a disaster or emergency.

**Section III – Further COOP Considerations.** This section covers important COOP items that should be considered following the completion of a base COOP plan as outlined in Section II. These include the following:

- **Training and exercising the plan.** This portion of the guide reviews the establishment of training and exercise programs that are needed to integrate the COOP plan into the culture of the court system. A robust training and exercise program can help ensure the plan becomes a living document rather than a binder collecting dust on a shelf.
- **Developing annexes.** This last portion of the guide reviews the identification and development of annexes to the court's base COOP plan. Annexes are typically developed to address unique hazards that are not specifically addressed in detail within the base COOP plan. Section III includes both a Hazard Analysis tool for the identification of needed annexes and a sample Pandemic Annex which may be used by the users of this Guide in the same manner discussed above.

Section III, like Section II, includes multiple pre-populated tables for use in inputting information. Hyperlinks are included to help navigate from the guidance in Section III to the COOP Template.

**COOP Template (Appendix).** A blank COOP Template is included as an Appendix to the Guide. As mentioned above, COOP planners may choose to use the sample language included in the Guide to complete their COOP plan as appropriate for his or her own court.

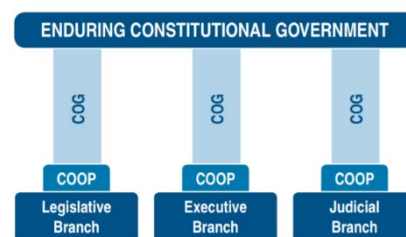
# COOP PLANNING BASICS FOR STATE COURTS

COOP is defined by the Federal Emergency Management Agency (FEMA) as an effort within an organization to ensure its essential functions continue to be performed during a wide range of emergencies. Typically, a COOP plan will be utilized when a court is faced with a major crisis that impacts its ability to perform all its various functions. Thus, when courts face a continuity scenario, they must focus solely on what is essential and not necessarily on all the various proceedings and services normally provided.

As seen in recent history, courthouses are not immune to disasters. Whether it be terrorism (e.g., 9/11), fires (e.g., California wildfires of 2017 and 2020), hurricanes (e.g., the 2017 and 2018 hurricane seasons) or the global COVID-19 pandemic in 2020, courts can be severely impacted by both natural and human-caused disasters. Despite this, courts have a constitutional duty to ensure their continuity of operations during a crisis.

## CONTINUITY OF GOVERNMENT AND COOP FUNDAMENTALS

Another term often used in a continuity event is the “Continuity of Government” (COG). COG is a coordinated effort within the three branches of government to ensure that essential functions continue to be performed before, during, and after an emergency or threat. Thus COG, within the judicial branch, relies on local and state courts having a viable continuity capability based upon good planning. To maintain our enduring constitutional government, courts must be ready for these continuity situations with a functional and updated COOP plan.



*Image from FEMA CGC (2018)*

A court’s COOP plan should not be the only emergency planning document it has. Many courts have other emergency plans such as its Emergency Operations Plan, Evacuation Plan, and/or IT Disaster Recovery Plan. A court’s COOP plan must ensure it both complements and supports its other emergency plans and planning efforts.

COOP forms the foundational structure of how courts can continue their essential functions in an emergency. It sets the framework that can be applied to every disaster. To provide more specificity and protocols to specific threats/hazards, courts should consider developing annexes. Each disaster scenario can bring nuances to a court’s response. Thus, development of annexes after completion of this overarching COOP plan can be helpful to address these specific nuances that come up in disasters (e.g., for earthquakes, define how building seismic evaluations would occur post-earthquake; for hurricanes, name what specific steps need to be taken once a hurricane watch is reported by the National Weather Service). Developing annexes is discussed at the end of Section II of this document.

When disasters occur, our communities turn to the three branches of government to ensure their safety and security. Thus, the development of a COOP plan is vital for courts. Developing a plan will not be completed overnight. The planning process will take time, but it is every court’s duty to ensure this planning occurs so that when the time comes and the court is faced with a disaster, it stands ready to respond.

## COOP PLANNING IN UNIFIED AND NON-UNIFIED COURT JURISDICTIONS

COOP planning will vary across jurisdictions depending on the number of courts operating independently in a jurisdiction and the number and types of court facilities involved. For purposes of this Guide, “court” refers to all the judges, court staff, and facilities under the authority of the Presiding or Chief Judge. In some jurisdictions, all courts are unified under a single leadership structure. In others, the general and limited jurisdiction courts may

not be unified. In the latter scenario, the Presiding or Chief Judge of each court should make sure that COOP planning takes place for his or her respective jurisdiction. In locales where multiple independent court COOP plans are developed, it is strongly recommended that representatives from the different courts review the various plans with each other. This is done to ensure compatibility among the plans, coordination of available resources, and to promote the sharing of knowledge. The COOP Template presented in this Guide provides a framework for a single plan that covers an entire court system. It will be up to each court system to determine if this structure works or if individual continuity plans are needed for each courthouse.

## COOP PLANNING AND COURT FACILITY CONSIDERATIONS

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Court facilities also vary by jurisdiction, and the composition of how facilities are arranged and managed will impact COOP planning. In some jurisdictions, all court-related functions occur in a single building under the control of the judicial branch. In others, the functions occur in a county-owned building that might be shared with executive branch agencies. In yet another scenario, functions are spread across the jurisdiction in several facilities that might or might not be under the authority of the judicial branch.

The COOP plan needs to consider the court's unique facility composition to provide a coordinated framework for directing all judges and court staff's efforts. A COOP plan is needed even in situations where the court does not own or maintain its own facilities and shares space with other non-court entities. This will ensure, to the extent possible, that essential court functions are compatible with the COOP plans of those other entities.

## SECTION I: INITIATING THE PLANNING PROCESS

As stated previously, the planning process is just as important as the written COOP plan itself. A continuity plan is not written overnight, nor can it be developed entirely by a single person. Thus, COOP planning is a cross-functional and collaborative team effort. Relationships are key and form the foundation of the planning process. Therefore, getting the right stakeholders to the planning table to develop the plan is critical.

### STEP 1-1: GAIN EXECUTIVE SUPPORT

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Writing or updating a COOP plan is a major undertaking and should be treated with the same importance as rolling out a new case management system. It will require time and effort from all court departments/divisions as well as external stakeholders. Having the support of the Presiding or Chief Judge and the Court Administrator is critical to ensure the right people and amount of time are devoted to this project. The Presiding or Chief Judge and the Court Administrator will need to appoint a “COOP Planner” referenced in Step 1-2 and assemble a “COOP Planning Team” referenced in Step 1-3.

It may be beneficial to appoint an executive liaison to help along the way. This can be helpful when the planning process encounters roadblocks (e.g., a department that is not participating in the planning process or two departments that want to take a vastly different approach) to ensure the planning process stays on track.

### STEP 1-2: ASSIGN A “COOP PLANNER” AND PROVIDE NECESSARY TOOLS FOR THE JOB

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A COOP Planner should be identified to lead the court’s efforts in developing its COOP Plan. The assigned person should have good project management experience and should be in a position of authority or have the delegated authority to call meetings, set deadlines, assign tasks (often to those who are in a more senior position). Though this process will require a team effort, as noted below, the COOP Planner will be the person in charge of running the project and putting the plan together.

As the COOP Planner goes through the steps in this Guide, a large amount of information will need to be gathered. There will be many documents to sift through, and revision control on electronic documents is important. Having a common virtual work area (e.g., SharePoint, Dropbox, Google Drive, etc.) to store and access these could prove beneficial.

Ideally, the COOP Planner should be someone who knows the various departments of the court. Preferably the Planner will be someone with an emergency management background. Though preferable, this is not necessarily a requirement. There are resources, training, and tools to assist court staff in gaining the knowledge to help put together a plan. The [FEMA National Continuity Programs](#) offer a variety of resources to support anyone putting together a COOP plan. Online classes can be found at the [FEMA Emergency Management Institute – Independent Study website](#). FEMA also offers in-person COOP training courses. A list of all COOP related training can be found on the [FEMA training website](#). Courses pertaining to continuity of operations, reconstitution, devolution, and pandemic planning can prove beneficial.

FEMA training is typically provided at no cost to the court. Connecting with FEMA Regional Continuity Coordinators and/or local emergency management office can also help a planner get trained to develop a COOP.

## STEP 1-3: ASSEMBLE THE COOP PLANNING TEAM

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The development of a court COOP plan is a serious and involved endeavor that will likely require the attention and expertise of other personnel beyond just the COOP Planner. A COOP Planning Team should be assembled to advise and assist the COOP Planner in developing the plan. The COOP Planning Team should include representation from all major court departments. Examples of possible departments represented:

- Facilities
- IT
- Courtroom Operations
- Case Processing
- Jury Operations
- General Counsel
- Finance
- Procurement
- Accounting
- Human Resources
- Security (e.g., County Sheriffs, Court Marshals, Court Security Contractors, etc.)

Ideally, a planner will need at least one representative from all major departments who will serve as the COOP lead for their respective area/department. Ultimately, for the scope of the COOP plan development, the COOP Planner will oversee the COOP Planning Team.

Inviting a judge or multiple judges to participate on the planning team is helpful to help convey the needs of the bench to the team, and to promote the importance of the COOP program with other judges. Courts should also consider assigning an executive liaison to the COOP Planning Team such as a respected Judge, the Court Administrator, or other senior official. The liaison's role is to be a champion for the team and help advocate for the resources needed to complete the plan. The liaison can also be helpful when the planning process encounters roadblocks (e.g., a department that is not participating in the planning process or two departments that want to take a vastly different approach) to ensure the planning process stays on track. If time does not permit the liaison to attend all planning meetings, the planner should ensure the liaison is kept aware of the planning team's progress, successes, and challenges. Ongoing reports to the Presiding or Chief Judge on the COOP development progress helps maintain momentum and interest.

As part of developing the team, clear guidelines should be established to direct how the team will work together to create a COOP plan. By way of example, this may include a variety of items such as but not limited to the following:

- Establishment of a two-hour bimonthly meeting, establishing a schedule of when action items need to be completed.
- Establishment of protocols for use in case the Planning Team encounters resistance or can't obtain information.
- Establishment of protocols detailing how information will be stored and shared.

The COOP Planner should seek to involve and engage local emergency management officials (typically, these officials may reside in the County Sheriff, Fire, Risk Management, or other executive offices) to assist in plan development. Examples of the potential benefits of such connections and engagement include sharing of best practices and emergency management information resources, review of draft COOP plans, coordination of COOP plans with other government entities, sharing of training resources, and networking connections to the local

professional emergency management community. This may prove particularly helpful if a planner has been assigned to write the plan who does not have an emergency management background. More on working with local emergency management officials can be found in [Step 1-7: Meet with local/county emergency management](#).

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#### STEP 1-4: REVIEW LEGAL AUTHORITY/RESPONSIBILITY IN COOP PLANNING AND ACTUAL DISASTERS

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The COOP Planner should work with his or her court's Legal Counsel to understand any applicable state and/or local judicial emergency orders or rules regarding disasters or other emergencies. It is helpful to understand the laws/policies surrounding important issues such as suspending or extending statutes governing speedy trial provisions. Knowing this will be helpful when completing the essential function tables below (see [Step 2-6: Identify essential functions through a Business Impact Analysis \(BIA\)](#) and [Step 2-7: Conduct a Business Process Analysis on prioritized essential functions](#)). There will be a section within the table annotating any emergency regulations which provide relief on time-sensitive hearings/cases.

In many cases, these emergency orders or rules can help guide what will be considered essential court functions that need to continue and what legal relief a court of last resort can provide in a disaster.

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#### STEP 1-5: GATHER INFORMATION ON PRIOR COOP PLANNING ACTIVITIES AND HISTORICAL LESSONS LEARNED

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The COOP Planner should review any existing emergency plans currently in use or any that have been written in the past. Knowing what emergency protocols have already been developed will prove useful in developing the COOP. This can include plans such as Emergency Operations Plans/Occupant Emergency Plans, Evacuation Plans, and IT Disaster Recovery Plans. As a reminder, COOP is for significant emergencies that will impact operations typically over 24 hours. Many emergencies are short term in nature and may not necessitate activation of the COOP plan. A solid Emergency Operations Plan/Occupant Emergency Plan should be established to determine the policies and procedures dictating the response to short-term emergencies (e.g., fire alarm activation, bomb threat, medical emergency, or brief power outage). Many courts operate in mixed use courthouses. In these situations, all tenants of the building should operate off of a common set of emergency procedures to prevent conflicting guidance. Examples of other important pieces of information to be aware of include the following:

- **Previous disaster or emergency after-action reports.** If the court has experienced a disaster or an emergency situation in recent history, it is helpful to review past after-action reports, debriefs, or lessons learned. By learning how the court has responded to its past disasters, the court can better integrate those lessons learned into the COOP plan.
- **AOC COOP Plan guidance.** The COOP Planner will also want to assess if the State Administrative Office of the Courts (AOC) has any specific regulations or guidance pertaining to COOP. For example, is a COOP plan mandated by the AOC? Is there a format, template, or style that is mandated by the AOC?
- **Other projects and initiatives.** Other major projects and initiatives underway either internally or statewide could impact the development or implementation of the COOP plan (e.g., the use of video hearings, a new courthouse being built or decommissioned, a change in case management systems, or a new e-filing system). When writing the COOP plan, it is important to address how the plan may need to be modified due to any ongoing or planned projects or initiatives.

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#### STEP 1-6: ACTIVATE THE COOP PLANNING TEAM AND SPECIFY PLANNING ASSUMPTIONS

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Once the background work identified in Steps 1-1 through 1-5 is complete, it is time to engage the expertise and assistance of the COOP Planning Team. Before the COOP planning work begins in earnest and prior to the first COOP Planning Team meeting, it is helpful to provide some basic orientation so that all team members

understand the purpose of the COOP planning process. FEMA offers a basic one-hour online COOP Independent Study course ([IS-1300: Introduction to Continuity of Operations](#)) that provides an overview of what COOP is. As the planning team begins to meet, reviewing possible emergency scenarios is a good way to ensure the entire team is familiar with the potential complexities and challenges that can arise out of courthouse disasters or emergencies. Some examples of these include the following:

- Disruption to the operations of the court and/or courthouse may occur without warning and the COOP plan may have to be activated at any hour of the day or night.
- The physical infrastructure of court facilities may be compromised and the ability to continue to use the physical courthouse may be threatened or non-existent. Key infrastructure components and systems include the exterior envelope, structure, HVAC, power, water, and sewer.
- Once the COOP plan is activated, key personnel and the court's emergency organization may need to be moved to an alternate facility.
- The health and safety of employees may be at risk.
- Staff levels may be significantly reduced due to high levels of displacement, injury, illness, lack of transportation, and need to attend to family concerns.
- Remaining workers may be psychologically affected by disease, family concerns, concerns about economic loss, or fear, and require behavioral assistance.
- Some court functions (those deemed less vital) will have a lower priority and may need to be deferred until a later time.
- Information systems, communication, and transportation may not continue to function either unimpaired or at all; plans need to be activated almost immediately to compensate.
- There will likely be funding constraints.
- The geographical relocation of some or all the population may be extensive and/or may impact the resources available for recovery.
- Procurement of goods, services, and supplies may be impacted.
- Justice partners and other stakeholders will likely be impacted and their operational capacity may tangentially limit what the court can accomplish in an emergency.

A key takeaway from these scenarios is that each emergency or disaster brings unique complexities and issues. It is important to recognize the need for both careful planning and flexible response protocols that allow the court to maintain operations in challenging and dynamic situations.

## **STEP 1-7: MEET WITH LOCAL/COUNTY EMERGENCY MANAGEMENT AND KEY JUSTICE PARTNERS**

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Either the COOP Planner or the entire COOP Planning Team should convene meetings with the local and/or county emergency management agencies. This meetings can be used as an opportunity to define or clarify roles and responsibilities the court may have when interacting with its surrounding emergency management entity or entities.

The following is a list of questions that should be reviewed during this meeting. Many of these questions are relevant to specific components of the COOP plan and are referenced accordingly.

1. How does local emergency management envision the court's role in the local emergency response framework?
2. How can the court report operational status and resource requests to the local or county Emergency Operations Center (EOC)? (e.g., does the court have a seat at the EOC? If not, how are communication channels maintained?)
  - Information can be used in [Step 2-11: Define emergency communications](#)
3. What are the primary and alternate points of contact for court and Emergency Management entities?

- Information can be used in [Step 2-11: Define emergency communications](#)
- 4. Can the court have access to any web incident management systems the county is using (e.g., WebEOC)?
  - Information can be used in [Step 2-11: Define emergency communications](#)
- 5. Are there any grant opportunities available the court can take advantage of?
- 6. Are there any ongoing emergency management meetings or workgroups the court should participate in?
- 7. Where appropriate, how would the court apply for FEMA Public Assistance in a large disaster? Who would be the applicant? (Depending on facility ownership, this question may need to be coordinated with the State AOC as described in Step 1-8 below.)
  - Information can be used in [Step 2-19: Identify the cost recovery process](#)
- 8. Can emergency management help provide introductions or collaboration with local FEMA representatives or regional FEMA Continuity Managers?
- 9. Are there any training programs the court can participate in?
  - Information can be used in [Step 2-20: Training and Exercises](#)
- 10. How can the court be integrated into future local emergency management exercises?
  - Information can be used in [Step 2-20: Training and Exercises](#)

In addition, it will be critical to coordinate efforts with key justice partners (e.g., elected clerk of the court, public defender, prosecutor office, probation, etc.). It is important to determine how each stakeholder's COOP plan will mesh with the court's COOP plan to better ensure the overall resiliency of the community's justice system.

## **STEP 1-8: DEFINE THE ROLES/RESPONSIBILITIES BETWEEN THE COURT AND AOC**

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The COOP Planner or Planning Team should also consider convening meetings with State AOC representatives. Like meetings with local emergency management officials, these meetings can be used as an opportunity to define or clarify roles and responsibilities between the court and State AOC.

The following is a list of questions that should be reviewed during this meeting. Many of these questions are relevant to specific components of the COOP plan and are referenced accordingly.

1. How does the court apply for an emergency order from either the State AOC or court of last resort?
  - Applying for an emergency order from the State AOC/court of last resort will be an essential function. This information can be used in [Step 2-6: Identify Essential Functions through a Business Impact Analysis](#)
2. What support or resources can the State AOC provide to the court in an emergency?
  - Information can be used in [Step 2-13: Identify the resource management process](#)
3. How does a court's operational status get communicated to the State AOC? What type of information does the AOC need to obtain from a court during an emergency?
  - Information can be used in [Step 2-11: Define emergency communication](#)
4. How does the FEMA Public Assistance process work in the judiciary in a major disaster? What support or coordination do courts need to work with or through the AOC?
  - Information can be used in [Step 2-18: Identify the cost recovery process](#)
5. Will the AOC collaborate with the executive or legislative branch during an emergency? If so, how would this collaboration occur and what impact would it have on a local court?

## SECTION II: WRITING THE PLAN

Section II covers the essential components of writing the COOP plan and is organized into the following parts:

- Part A: Readiness and preparedness
- Part B: Activating COOP in a disaster
- Part C: Ongoing COOP operations during emergencies
- Part D: Reconstitution and Cost Recovery

Section II includes a series of steps for the COOP Planner to follow in building a COOP plan. A detailed description of the purpose for each step and important COOP considerations related to each step are provided. As mentioned previously, users of this Guide are encouraged to make use of the tables presented as they work through the steps. These are the same tables as those included in the COOP Template located at the end of this document with one significant difference: the tables in Section II have been pre-populated with sample language based on a hypothetical court. The provided content can be used, where applicable and appropriate, as a starting point to facilitate the completion of the COOP Template. The completed template is the COOP plan! Hyperlinks allow the reader to “toggle” back and forth from the Section II tables to the template. **Therefore, users of this Guide can simply copy, toggle, and paste the information from Section II into the corresponding table in the COOP Template and then edit/complete as appropriate. This process is intended to assist COOP Planners in completing their own court COOP plans in an efficient, step by step manner.**

As mentioned previously, entering information in the COOP Template, in effect, constitutes writing the court’s COOP plan. In some cases, the pre-populated tables in this Guide may suit an individual court’s needs. However, COOP Planners using this Guide to build their own COOP plan should carefully assess if the pre-populated information included in the tables is appropriate and relevant for their specific court system. It is also important to note that although all of the steps in Section II are designed to build on one another, the COOP Planner may choose to proceed along the steps in any order that best suits his or her own court’s needs and planning efforts. The key is to make sure that, at the end of the process, all of the component parts included in this Guide have been addressed.

Some steps may be relatively simple to complete (e.g., [Step 2-5: Identify the court’s emergency operations center \(EOC\)/Meeting locations](#)), whereas other steps may require a great deal of planning and discussion (e.g., [Step 2-6: Identify the court’s essential functions](#) and [Step 2-7: Conduct a Business Process Analysis](#)). The pre-populated tables have been added to make the process of completing a COOP plan as painless and straightforward as possible; however, it must be pointed out that the process of completing a COOP plan is typically highly involving. Writing the plan as detailed in Section II will be the most time-consuming aspect of COOP planning covered in this Guide, but the effort put into it will prove to be extremely helpful in the future when the court faces a disaster or emergency.

## PART A: READINESS AND PREPAREDNESS

### STEP 2-1 DEFINE THE PURPOSE OF THE COOP

It is important that COOP plans have a purpose statement. This statement establishes a foundation of how the policies and guidance contained in the plan are relevant to the court in a disaster or emergency situation and sets the stage for how the court would respond in a continuity scenario. Table 2-1 below includes a sample purpose statement that may suit a court's needs.

**Table 2-1: Purpose of the Court's COOP Plan**

This COOP plan establishes policies and procedures to ensure the execution of essential functions for the court in the event that a disaster or emergency threatens or incapacitates operations. Specifically, this plan is designed to:

- Ensure that the court is prepared to respond to both natural and manmade disasters and emergencies, recover from them, and mitigate against their impacts.
- Ensure that the court is prepared to quickly transition from normal operations and maintain its essential functions in an environment where resources and facilities are threatened, diminished, or incapacitated.

[Link to Template](#) (Copy and paste the text from Table 2-1 above into the corresponding Table 2-1 in the Template and then edit/complete the language in the Template table as appropriate for your court. Use link to toggle back and forth between the tables in Section II of the Guide and the corresponding tables in the Template.)

### STEP 2-2: DEFINE THE PLAN'S APPLICABILITY AND SCOPE

This step describes what entities/individuals are covered by the plan and under what types of circumstances. Table 2-2 below includes a sample description that may suit a court's needs.

**Table 2-2: Applicability and Scope**

This plan applies to the (Court name) and its related facilities (specify name/locations). It covers all individuals who work or conduct business in these facilities. The plan takes an "all hazards" approach. That is, it applies to all emergencies, natural or manmade, that affect the essential operations of the court.

[Link to Template](#) (Copy and paste the text from Table 2-2 above into the corresponding Table 2-2 in the Template and then edit/complete the language in the Template table as appropriate for your court. Use link to toggle back and forth between the tables in Section II of the Guide and the corresponding tables in the Template.)

### STEP 2-3: DETERMINE THE DISTRIBUTION AND MAINTENANCE OF THE EXISTING COOP PLAN

In the case of an existing COOP plan, this step includes a place to note when revisions/audits of the plan were completed, what changes were made, and by whom. It is recommended that the plan be reviewed and updated annually. Below is an example of a completed revision control table.

**Table 2-3A: Revision Control**

Date	Summary of changes	By Whom
XX/XX/2021	Plan initially developed and approved	COOP Coordinator
XX/XX/2021	Essential functions updated to reflect new case management system	Chief Information Officer
<i>Insert others</i>		

[Link to Template](#) (Fill out Table 2-3A in the COOP template with the appropriate information for your court. Use link to toggle back and forth between the tables in Section II of the Guide and the corresponding tables in the Template.)

The following Table 2-3B provides an example pertaining to the logistics of maintaining a newly completed or updated COOP plan. A COOP Coordinator should be identified who will be responsible for maintaining the COOP

plan. In most instances, this will be the same person (COOP Planner) who led the court’s efforts in developing its COOP Plan identified previously in Step 1-2.

Table 2-3B: Plan Maintenance	
Item to Consider	Response
Where will physical copies of the COOP plan be located?	Court Administrator Office, Facilities Office at all courthouses
Where will virtual copies of the COOP plan be located?	On the court’s internal emergency preparedness website.
Intended audience for this plan.	Executive Management, Chief and Supervising Judges, All Court Managers
Person responsible for maintaining the overall COOP plan.	COOP Coordinator
How often will this COOP plan be maintained?	Annually. Revisions must be approved by the [Presiding or Chief Judge] before [Day XX/Month XX]
Protocol for ensuring updates/revisions to this COOP plan are made for both physical and virtual versions.	COOP Coordinator will first update the electronic version on the court’s internal emergency preparedness site. COOP Coordinator will be responsible for updating the physical plan within three days of edits with the physical copy located in the Court Administrator’s Office. Local Facility Managers will be responsible for updating their local physical copy when instructed by the COOP Coordinator
<i>Insert others</i>	

[Link to Template](#) (Fill out Table 2-3B in the COOP template with the appropriate information for your court. Use link to toggle back and forth between the tables in Section II of the Guide and the corresponding tables in the Template.)

## STEP 2-4: DEFINE THE CRISIS MANAGEMENT TEAM (CMT)

If the court already has an Emergency Operations Plan/Occupant Emergency Plan, a Crisis Management Team (CMT) may already be identified. If not, this is where the court will establish which staff and judges are needed to assemble in a crisis.

The CMT should function as an overarching policy/executive body that governs and directs policy related to crisis response for the court. In larger jurisdictions with multiple courthouses, there should also be some designation of Local Courthouse Unified Command Teams consisting of individuals who have crisis management responsibilities at the local courthouse level.

- **Policy Group** – Policy Group serves as a decision-making authority helping direct the priorities in an incident. This group decides major policy decisions such as closing a courthouse, deciding when to send Court staff home, determining court wide communication message, providing the court’s statement to the media, etc. The Policy Group should consist of the Presiding or Chief Judge, Chief Officers, General Counsel, Facilities Director, Public Information Officer, Emergency Management, and Lead Security Personnel (e.g., Sheriff Captain, Commander, etc.)
- **Local Court Unified Command Team** – A Unified Command Team will help direct incident response at their specific courthouse. They help provide quick emergency actions that take place at a single courthouse location. This team can consist of the senior judge at that courthouse, operations manager, facility manager, and local security lead. Ideally, this should be a small team (4-5 persons) but can expand to include other key management officials (e.g., jury services) as needed.

The CMT should include the COOP Coordinator. The COOP Coordinator will serve as the emergency management lead for the courthouse to help guide the court in implementing the COOP plan, serve as a liaison to external emergency management agencies, and help direct the court’s overall emergency management activities. As this position plays a key role, it is important to also identify a backup.

It is also helpful to consider additional supporting crisis teams that may need to assemble to work on specific functional issues. For example, an IT Crisis Team may be needed to provide support addressing IT

considerations for a disaster or emergency (e.g., expanding telework options, expanding videoconference hearings, addressing cybersecurity threats, etc.). The following Table 2-4 provides an example of a CMT worksheet.

CMT	Members of the Team
COOP Coordinator	Facilities Analyst
Backup COOP Coordinator	Facilities Specialist
Policy Group	Presiding or Chief Judge, Assistant Presiding or Chief Judge, Court Administrator, Operations Director, IT Director, HR Director, General Counsel, Public Information Officer, COOP Coordinator, Sheriff's Captain
Courthouse Unified Command Team – Juvenile Court	Juvenile Court Supervising Judge, Facility Manager, Juvenile Operations Manager, Sheriff's Sergeant.
Courthouse Unified Command Team – Criminal Court	Criminal Court Supervising Judge, Facility Manager, Criminal Operations Manager, Jury Manager, Sheriff's Sergeant
IT Crisis Team	Network Manager, End User Support Manager, CMS Application Manager, Cloud Applications Engineer
<i>Insert others</i>	

[Link to Template](#) (Fill out Table 2-4 in the COOP template with the appropriate information for your court. Use link to toggle back and forth between the tables in Section II of the Guide and the corresponding tables in the Template.)

## STEP 2-5: IDENTIFY THE COURT'S EMERGENCY OPERATIONS CENTER

Knowing where the Crisis Management Team (CMT) members are to assemble in a disaster or emergency situation is critical. In traditional emergency management terms, the command center where emergency response is coordinated is often referred to as an Emergency Operations Center (EOC). Courts are encouraged to identify a centralized meeting place that will function as an EOC in the event of a disaster or emergency. This can help ensure the right people are gathering in the right location to make critical decisions. As disasters or emergencies can happen at any time during the day or night, it is helpful to explore both physical and virtual options. Table 2-5 below provides an example of a completed meeting locations worksheet.

Physical Meeting Options		
Courthouse	Inside Meeting Area	Outside Meeting Area
Policy Group – Primary EOC	Executive Conference Room on 2 <sup>nd</sup> Floor	Middle of judges parking lot
Downtown Courthouse – Unified Command Team	1 <sup>st</sup> Floor Training Room	Grassy area northwest of building
Juvenile Courthouse – Unified Command Team	3 <sup>rd</sup> Floor Conference Room	Center of plaza in front of courthouse
Virtual Meeting Options		
Virtual Modality	Protocols to Access	Any Restrictions
Microsoft Teams	Presiding or Chief Judge Assistant will email Policy Group with Teams meeting. Phone call instructions also to be included.	Can accommodate up to 250 users. All users must have either phone or internet connection.
External Conference Line	Presiding or Chief Judge Assistant will email Policy Group with dial-in instructions. Facilities Director and CIO have PIN and login access to open the line.	Can accommodate up to 60 callers at once. Phone line only. All users must have a working phone connection.

[Link to Template](#) (Fill out Table 2-5 in the COOP template with the appropriate information for your court. Use link to toggle back and forth between the tables in Section II of the Guide and the corresponding tables in the Template.)

## STEP 2-6: IDENTIFY ESSENTIAL FUNCTIONS THROUGH A BUSINESS IMPACT ANALYSIS (BIA)

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The core element of a COOP plan is the identification of a court's essential functions. These functions are fundamental to support the safety of the community, especially in times of crisis and with limited resources. Many essential court functions are determined by law, internal regulation or in a state or county-wide emergency preparedness meeting with justice partners. Essential functions are often linked to what is statutorily required of the courts. Other functions are judged essential based on criteria such as their importance to the court's mission, their role in the continuity of government, and/or their necessity to the performance of essential functions by other departments or agencies.

There are likely many other functions that are all very important but may not necessarily be "essential" in a disaster or emergency. Knowing what is truly essential and important to the safety and security of a community is vital. If essential functions are not clearly identified, it is easy for a court to become overwhelmed in a crisis, not knowing what is truly essential and what can be accomplished with limited resources. Thus, the mantra when selecting essential functions is: "If everything is important, then nothing is important." This step of the Guide is designed to help a court identify a list of its most time-critical and essential functions that cannot be left undone without running afoul of statutory obligation or risking failure of its mission.

**Nailing down a court's essential functions is often the hardest part of COOP planning but one of the most critical elements of a COOP. Therefore, the COOP Planner and Planning Team may find that there is a considerable amount of work involved with completing Step 2-6 (and Step 2-7) as compared to the previous Steps 2-1 through 2-5.**

Through the work completed under the first two initiatives of the SJI COOP grant as described earlier in this Guide, and as observed during the novel coronavirus pandemic in 2020, there are multiple case types that are typically prioritized during a disaster or emergency. Examples of these include the following:

- Criminal proceedings required to ensure due process of law and continuity of the criminal justice system.
- Domestic and civil proceedings required to meet the needs of the most vulnerable, such as those seeking protective orders.
- Probate proceedings required to resolve custody and property matters.
- Juvenile dependency and delinquency cases required to safeguard our youth even in times of crisis.
- Matters that arise because of the special circumstances of a disaster or emergency (e.g., hearings related to public health quarantine and isolation orders during a pandemic).

It is important to note that continuity of the court is not confined only to courtroom operations. It is critical to identify the administrative functions the court needs to operate. (e.g., payroll, payment to critical vendors, maintaining network connectivity, maintaining cybersecurity of court networks and databases, HR response to emergency leave requests, required building maintenance, collection payments, etc.).

A Business Impact Analysis (BIA) is typically performed within each department of the court to identify and prioritize essential functions. An essential function is defined as a court function that cannot be left undone for 30 days without risking failure of mission; failure to meet statutory/mandatory obligations; or loss of trust, respect, and funding. Each department should complete a business impact analysis and identify the specific essential functions needed to sustain critical court services. Court departments should also identify a Recovery Time Objective (RTO). An RTO is the amount of time within the department in which the process must be restored after an emergency event in order to avoid severe consequences. Once the department has a list of essential functions, each function should be prioritized as to its impact on returning to normal operations.

Table 2-6 below illustrates an example of a completed BIA worksheet. The worksheet should be used as a planning tool to determine and document what critical activities should be considered a true essential function. This activity may take several sessions to help define what is truly “essential.” BIA worksheets are often included as an attachment to the completed COOP plan. The department leads assigned to the COOP Planning Team would be responsible for completing these worksheets for their respective areas. The COOP Planner should ensure that all court departments have assessed their essential functions.

Table 2-6: Essential Functions - Business Impact Analysis Worksheet (COOP Plan Attachment)			
Department: Criminal Operations			
Critical Activity/Essential Function (EF)	Priority	Impact if EF is not completed	Return Time Objective
Process search warrants	High	Community at risk if warrants are not issued. Dangerous individuals may avoid capture.	24 hours
Criminal protective orders	High	Individuals at risk could be unprotected. Critical safety issue for those who need protection	24 hours
Criminal arraignments	High	Violation of a person's statutory right to a speedy trial. In custody defendant could be released if not arraigned timely.	48 hours
Jury trials	Medium	Violation of a person's statutory right if timelines are not relaxed by emergency order or rule.	1 week
Process payments	Low	Minor impact to court budget. Public can be held to certain judgments if payments are not posted. Court could issue local rule suspending judgments if payments can't be processed to avoid impact to public.	1 week

[Link to Template](#) (Fill out Table 2-6 in the COOP template with the appropriate information for your court. Use link to toggle back and forth between the tables in Section II of the Guide and the corresponding tables in the Template.)

After each department completes their BIA, the COOP Planner and Planning Team should assemble and compile all BIA worksheets and prioritize all the essential functions on a court-wide basis. The compiled BIA allows the court to prioritize critical services and guides resource allocation. Presenting a compiled, prioritized list of essential functions to executive management and the Presiding or Chief Judge for their initial review can prove beneficial to ensure executive buy-in and support.

## STEP 2-7: CONDUCT A BUSINESS PROCESS ANALYSIS (BPA) ON PRIORITIZED ESSENTIAL FUNCTIONS

After completing Step 2-6, the COOP Planner should now have prioritized lists of what each department considers as its essential functions. The next step is to identify the specific activities and processes that allow essential functions to be maintained during a disaster or emergency. This is where a Business Process Analysis (BPA) is helpful. The BPA is a systematic process that identifies and documents the activities and tasks that are associated with the court’s essential functions. The essential functions section of the plan should identify the resources, space requirements, costs, interdependencies, workflow processes, and support functions that ensure the continued execution of all the court’s essential functions. A BPA on each essential function should be conducted to determine the following:

- **Recovery Time Objective** – How quickly does this essential function need to come back online (e.g., one day, three days, one week, one month, etc.)? This information was already completed in Step 2-6 so information can be pulled from there.
- **Department/Person Responsible** – Which court department does this essential function fall under? In addition, which person will take the lead role to ensure the continuity of this essential function?

- **Key Staff/Personnel** – Who are the key staff/personnel needed to carry out this essential function?
- **Resources** – What are the necessary equipment and supplies to accomplish the essential function (e.g., court stamp/seal, laptops, etc.)?
- **Work Location and Space Requirements** – What specific layout or room is needed to accomplish the essential function?
- **Supporting Activities** – What are the activities that need to occur to ensure successful completion of the essential function (e.g., Facilities setup of a courtroom)?
- **Internal Dependencies/Essential Records** – What critical case management systems, computer programs, databases, bank routing numbers, etc., are needed to accomplish this essential function?
- **External Dependencies/Essential Records** – What external justice partner IT applications/programs or services are needed to accomplish this essential function? (e.g., DMV interface, credit card processing system, criminal complaint from prosecutor’s office)
- **Manual Workarounds** – Are there manual workarounds developed in the event critical IT systems supporting the essential function are not available?
- **Judicial Emergency Orders** – Can emergency orders from the State's court of last resort provide any assistance to suspend deadlines or extend timeframes for accomplishing the essential function?
- **Related Regulation** – What requires the court to perform the essential function? Cite the government section or penal code reference if known.
- **Telework** – Can the essential function be conducted remotely?

Completing the BPA provides context and key information to help management continue essential functions in a disaster or emergency. A BPA will help the court understand the complexities and interdependencies needed when a disaster or emergency occurs. As the court will most likely have many BPA tables (one for each essential function), it may be helpful to organize them via department and/or case type to help with easy retrieval during a crisis. The court may also consider integrating this information into an Excel workbook or other data analysis tool to help with organizing, filtering, and sorting of information.

The following Table 2-7 is a court-centric version of the Essential Function worksheet included in the [FEMA Continuity Plan Template and Instructions for Non-Federal Entities and Community-Based Organizations](#).

**Table 2-7: Essential Functions (EFs) - Business Process Analysis**

Essential Function	Recovery Time Objective	Department/Person Responsible	Key Staff
Conduct criminal arraignments	24 hours	Criminal Operations/Criminal Manager	1 Judge, 2 Clerks, 1 Court Reporter, 1 Interpreter per courtroom. Total of three courtrooms needed. 1 Criminal Operations Supervisor to oversee operations.
	<b>Resources Needed</b>		
	Court seal, US and State Flag, court stamps, judicial robe, headsets for interpreters.		
	<b>Work Location &amp; Space Requirements</b>		
	Three courtroom sized spaces. 1-2 judicial chambers (can be shared between three judges), secure passageway and holding area for in custody inmates.		
	<b>Supporting Activities</b>		
	Receive criminal filing from prosecutor's office. Have in-custody inmate transported to courtroom.		
	<b>Internal Dependencies/Essential Records</b>		
	Criminal Case Management System. Warrant Tracking System.		
	<b>External Dependencies/Essential Records</b>		
	Criminal complaint from prosecutor's office. Sheriff bailiff services. DMV records. State law enforcement database.		
	<b>Manual Workarounds</b>		
	Will need to manually receive complaint from prosecutor's office. Use manual criminal operations forms if case management system is non-operational.		
	<b>Related Regulation</b>		
Government Section Code: 285b			
<b>Can an Emergency Order provide relief?</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Notes: EO from the court of last resort can provide relief to extend timeframe up to 14 more days.		
<b>Can EF be done via telework?</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Notes: Not readily feasible unless remote appearance can be accomplished at jail.		

[Link to Template](#) (Fill out Table 2-7 in the COOP template with the appropriate information for your court. Use link to toggle back and forth between the tables in Section II of the Guide and the corresponding tables in the Template.)

Ultimately the final COOP plan describes how all the required resources will be allocated during a disaster or emergency to ensure that essential functions can be maintained. The administrative, technological, legal, and human resources aspects of these resources allocated during the disaster or emergency should be considered, e.g., purchase orders, agreements with companies, technology protocols, communication plans, legal requirements, and HR considerations.

**STEP 2-8: EXPLORE TECHNOLOGY CONSIDERATIONS – ESSENTIAL RECORDS, COURT APPLICATIONS, NETWORK**

Court technology is often considered the backbone of maintaining the continued administration of justice. The process of prioritizing critical court technology elements and identifying what essential functions they support will be important to determine prior to a continuity event. Thus, this step should be done somewhat concurrently when developing an essential functions list (Step 2-6 and 2-7). Some of the questions listed when conducting a business process analysis for the court's essential functions are directly related to this Step 2-8. When considering the essential function list, often there are critical IT elements that are needed to successfully execute an essential function (e.g., case management system, imaging systems). These are often referenced as either internal or external dependencies. Ranking those applications with their recovery time objective will assist the IT department in knowing what the priority restorations are and where to divert limited resources during a crisis. For example,

only the applications that support the essential functions are ranked and considered critical, other applications are ranked lower with return times set after the critical applications are restored.

Planners must also consider the sequencing of how these steps come back online. If, for example, a case management system needs to be restored, servers and internet access will first need to be restored. Thus, the order of restoration is a key determining factor when evaluating how quickly technology needs to be brought back online. The order of restoration of systems should be considered for all critical software applications and infrastructure (e.g., email, phones, servers, etc.). An IT Recovery Time Objective (RTO) identifies the maximum amount of time that IT systems can be down before severe consequences are experienced. The important question for the court to answer is how long it can afford to be in the dark?

Another important metric in managing expectations in recovery efforts is defining a Recovery Point Objective (RPO). If IT services are interrupted before backups are updated, some data loss can occur. The RPO establishes the maximum age of the files recovered from backup storage that are necessary for operations to resume. For example, if the RPO is 24 hours, backups should be made at least once per day. This means that, in the event of a disaster, the court would potentially lose up to one days’ worth of data.

In addition to IT applications and infrastructure, it is critical that consideration be given to the essential records necessary to continue essential functions in the event of a disaster or emergency. Examples include emergency plans, manual workaround procedures, legal and financial records, property management records, procurement agreements, inventory records, payroll rosters, next-of-kin notification, etc.

The following Table 2-8A will help prioritize and identify IT applications and essential records that were identified when developing an essential function list.

IT Application/Vital Record	IT Recovery Time Objective (RTO)	Recovery Point Objective (RPO)	Unit Responsible/Point of Contact	Notes
Email	1 hour	24 hours prior	Cloud Applications Unit, Cloud Application Manager	Microsoft 365 cloud-based solution
Servers	1 hour	72 hours prior	Infrastructure Unit, Infrastructure Manager	Majority of servers are in Criminal courthouse
Criminal case management system	24 hours	72 hours prior	IT Application Unit, Application Manager	Cloud based
VOIP Phones	48 hours	N/A		
Protective order database	48 hours	1 week prior	Criminal Operations, Criminal Manager	Relies on physical server at downtown courthouse
Payroll Information	1 week	1 month prior	Accounting, Accounting Manger	County maintains backup of court payroll for one pay period (two weeks)

[Link to Template](#) (Fill out Table 2-8A in the COOP template with the appropriate information for your court. Use link to toggle back and forth between the tables in Section II of the Guide and the corresponding tables in the Template.)

The strategy for ensuring the integrity of essential records may vary depending on the data systems in place. FEMA has provided guidance on several options for ensuring access to essential records during an emergency. These include:

- **Using backup servers.** Data and records are backed up on a secondary server, in addition to the primary server. When the backup server is stored in a different location than the primary facility, an organization increases the possibility that data and records are available and accessible.

- **Pre-positioning hard copy records.** Printing hard copy records ensures an organization is not reliant on electronic equipment to access records. Prepositioning copies at alternate operating locations further protects an organization should the primary facility become inaccessible.
- **Leveraging cloud computing.** In cloud computing, remote servers hosted on the Internet are used to store, manage, and process data. This disperses risk to an organization as data is not hosted on local servers, provided that the cloud service provider also has adequate continuity plans.

The COOP plan should cover how essential records and applications are maintained, how they are backed up, and how they can be accessed in an emergency. If operations need to be taken offsite, there should be a discussion of how staff/judicial officers at offsite locations can access these essential records and applications. Some external records may be restricted from being accessed anywhere else but a courthouse.

The work being done in this step of the COOP plan is only a very small part of the work needed to prepare IT departments for disasters. With the increasing reliance on technology and the emergence of cybersecurity threats, it is critical that courts also consider developing a full IT Disaster Recovery plan separate from the COOP plan. An IT Disaster Recovery plan will provide much greater detailed protocols for networks/application backups and restoration, and will specify the mitigation measures needed to protect a court's IT infrastructure. The IT Disaster Recovery plan should include a process by which all essential functions can be executed in the event that IT systems are not available and a process by which essential functions and essential records are maintained and reintegrated into networks/applications once systems are restored. The technical expertise required to complete an IT Disaster Recovery plan usually dictates that it be prepared under a court's IT department and will typically fall outside the scope of the base COOP plan described in this Guide; however, the information contained within the IT Disaster Recovery plan will be critical in a crisis.

**Telework considerations** – Telework may be a critical tool in maintaining the court's essential functions during an incident. When developing essential functions and the key requirements for executing them, it is helpful to consider if telework can be utilized.

The following Table 2-8B provides an example of telework considerations.

**Table 2-8B: Telework Logistics**

Item to Consider	Explanation, Response, or Protocol
How many telework (VPN) licenses does the Court maintain?	200
Does the court have a current policy on how telework will be used in a crisis?	Yes – Telework Policy #XX-XX, developed during the COVID-19 pandemic, defines who can telework and its parameters. When COOP is activated, this policy is in full effect.
What IT cybersecurity protocols need to be in place to implement emergency telework?	All court issued computers have appropriate network security protocols and applications in place. If staff are using their own computers to connect remotely, those personal computers must have updated antivirus software and their home Wi-Fi must be password enabled. Policy #XX-XX addresses these specific requirements.
What will be the plan to surge telework options (e.g., purchase new laptops, reuse existing computers)?	All those who are issued laptops will be required to take them home. If possible, those authorized for telework will schedule a time with IT to take their entire desktop computer home (if feasible). The court can also utilize a state master agreement through the AOC to purchase laptops in an emergency.
What changes need to be made to the court network or infrastructure to support expanded telework?	IT will monitor bandwidth traffic and work with our internet vendor (insert vendor name) to determine if bandwidth needs to improve. There will be a weekly audit by the IT Infrastructure Manager to the Court CIO to assess bandwidth and any changes. If hearings are being done virtually and sessions are live-streamed, bandwidth will need to be increased by at least 25%.
How will telework capabilities be tested prior to an emergency	Those who are assigned court laptops are asked to take them home, turn them on, and connect to applications related to their applicable essential functions. This test is done two times per year (June and December). All employees who are authorized to remote work should remote login at least twice a year to ensure their two-factor authentication is set up correctly.
How will telework equipment be deployed to judges/staff?	All equipment will be distributed from the main courthouse. IT has a stockpile of IT supplies at this location. Peripherals (mice, monitors, keyboards, etc.) can be taken from other courthouses if needed but distribution will occur at the main courthouse. The Juvenile courthouse will serve as a backup in the event the downtown courthouse is not accessible.
How is bandwidth addressed for critical applications to be used offsite or at an alternate facility?	IT maintains ten hotspots (List vendors). These hotspots will be taken to any offsite/alternate facility where emergency court operations may be established. IT Infrastructure would be responsible for conducting these tests and working with Court Operations to determine the needed bandwidth for applications based on the number of judges/staff assigned to the facility.
Are there any court applications, software, or programs that can't be accessed offsite?	The DMV application can't be accessed offsite. Special provisions can be made in a presidentially declared disaster but must be submitted in writing to the DMV IT office.
What type of ergonomic protocols need to be in place for telework to prevent injuries?	When telework is authorized in an emergency, HR will include a one-page information sheet on how to maintain an ergonomic workspace at home. HR will remind workers on key steps they can take to prevent repetitive motion injuries and how they can stay safe at home. Staff will be reminded that if they do experience an ergonomic injury, they need to report it to their supervisor and HR since worker's compensation packets will need to be sent to the employee working remotely.
How will employee privacy be maintained during telework?	Employees will be given Google Voice numbers. No personal cell phone information will be released to the public.

[Link to Template](#) (Fill out Table 2-8B in the COOP template with the appropriate information for your court. Use link to toggle back and forth between the tables in Section II of the Guide and the corresponding tables in the Template.)

As a reminder, low-tech solutions can also help courts deal with the disruption of IT systems in the event of a natural disaster. During significant natural disasters, courts may have to implement manual paper processes. Although much progress has been made with e-filing and “going paperless,” retaining paper copies can be beneficial during disasters. In situations where a disaster requires the implementation of manual processes, it is also important to plan for the transition from temporary manual processes back to the automated electronic processes during the recovery. This will help set expectations for time and resource allocation during recovery. The table described in Step 2-7 above ([Table 2-7: Essential Functions - Business Process Analysis](#)) includes a section that discusses what manual workarounds are available to fulfill essential functions in the event that the technology needed is not available.

## STEP 2-9: IDENTIFY ORDERS OF SUCCESSION AND DELEGATIONS OF AUTHORITY

Disasters can potentially impact the ability of key judges/staff to report to the courthouse to fulfill their responsibilities. As such, it is important to identify successors for key positions as well as what authority will be delegated to them during the crisis.

**Orders of Succession** provide for the orderly and predefined assumption of authority and responsibility during a disaster or emergency in the event that court leadership officials are unavailable to execute their duties. Successors should be identified for at least the CMT, Executive Management, Judicial Leadership, and Directors of all court departments. The number of key decision-makers will be dependent on the size of the court and its management structure. Ideally, courts should identify three successors for every key decision-maker; however, this may not be realistic for smaller courts. When possible, it is helpful to identify at least one successor who works in a different location than the key decision-maker and other named successors.

**Delegation of Authority** – Delegation of authority is the process of transferring responsibility for a task to another employee during a crisis. In most cases, a successor will assume the authority to perform all functions that the position performs under normal operations. However, for some successors, the authority to perform certain functions may be limited. For example, if an assistant accountant is designated as the court’s third successor for the Finance Director, the planning team may decide to limit the assistant accountant’s authority for expenditures to a certain amount. The successor would need to obtain permission from the Court Administrator and Presiding or Chief Judge to authorize expenditures over that designated amount. It is also important to identify when a successor’s authority is activated and when it is terminated. When considering succession planning, a court should consider if the successor has the tools and resources to complete that job function. Therefore, the plan should address what types of physical/IT/essential record access may need to be modified when a successor assumes their position.

Table 2-9 below provides an example of defining successors, their delegated authority, timeframes of their authority, and what resources might be needed.

Table 2-9: Orders of Succession and Delegations of Authority				
Key Position	Successor	Delegated Authority	Activation/Termination of Delegated Authority(s)	Resources Needed
Chief Finance Officer (CFO)	Financial Planning Officer	All with one exception: Any purchases above \$25,000 need to be approved by the Presiding or Chief Judge.	<u>Activated</u> : CFO is not available during COOP plan activation. <u>Terminated</u> : CFO is available, or emergency is over.	Court Credit Card.
	Accounting Manager	All with two exceptions: One is any purchases above \$25,000 need to be approved by the Presiding or Chief Judge. Second, person does not have the authority to hire/fire finance staff.	<u>Activated</u> : Financial Planning Officer is not available during COOP plan activation. <u>Terminated</u> : Financial Planning Officer is available, or emergency is over.	Court Credit Card. Access to Level 4 authority in purchasing system.
	Collections Manager	All with two exceptions: One is any purchases above \$25,000 need to be approved by the Presiding or Chief Judge. Second, person does not have the authority to hire/fire finance staff.	<u>Activated</u> : Accounting Manager is not available during COOP plan activation. <u>Terminated</u> : Accounting Manager is available or emergency is over.	Court Credit Card. Access to Level 4 authority in the purchasing system.

[Link to Template](#) (Fill out Table 2-9 in the COOP template with the appropriate information for your court. Use link to toggle back and forth between the tables in Section II of the Guide and the corresponding tables in the Template.)

## STEP 2-10: IDENTIFY ALTERNATE FACILITIES AND GO KITS

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Not all disasters will impact courthouse facilities. However, the court must be prepared to continue essential functions in alternate locations to ensure the continued administration of justice. Often, alternate facilities are not a traditional courthouse. It is important to prioritize essential functions before considering alternate facilities so the court is aware of what essential functions must resume at an offsite facility if needed. When considering alternate facilities, it is helpful to identify who will take the lead in the event an alternate facility needs to be identified and set up. It is important that the IT department is part of any alternate facilities discussions during both the planning and implementation stages. Network access, bandwidth capabilities, and access to critical case management systems and databases are all critical elements needed to successfully create a functional alternate facility.

Due to the unique challenges and configurations of courthouses and courtrooms, it is advisable for courts to investigate the possibility of moving operations to another existing courthouse before considering external alternate facilities. Identifying how existing courthouses could absorb critical essential functions in the event a courthouse becomes unusable can prove highly beneficial given the unique facility needs for conducting court operations.

It is helpful to consider alternate facilities from the perspective of a court user. A disaster or other emergency may require court services to be provided in different locations or buildings, which in some cases may not be a traditional courthouse. It is important to ensure that public access issues are addressed, such as informing the public how and where services may be accessed. Key questions to consider include:

- How will visitors know where to go?
- Where will visitors park?
- Is the alternate facility universally accessible for persons with disabilities?
- Is there appropriate signage and is that signage available in multiple languages?
- Can staff assist in guiding court users where to go?

A best practice in emergency management is to have a “hot site” available where it is move-in ready with the necessary IT, furniture, configuration, security, etc., but that is not a reality for most courts due to the ongoing financial burdens. Thus, considering partnerships with other government entities, federal courts, surrounding court systems, universities, law schools, convention centers, hotels, and the like can prove beneficial. Courts should explore creating Memorandums of Understanding (MOUs) to assist in this (FEMA provides a sample MOU agreement that can be utilized, which can be found on page 42 of the [FEMA COOP Template](#)). Partnerships with local emergency management to identify space options can also be helpful.

The following Table 2-10A illustrates a sample completed checklist of court specific considerations related to the identification and evaluation of alternate facilities. Completed checklists can be included as an attachment to the court’s COOP plan for later reference.

**Table 2-10A: Alternate Facility Evaluation Checklist**  
(COOP Plan Attachment)

Alternate Facility Criteria	Comments
<b>Physical Layout</b>	
Where is the facility located?	University Law School
How much floor space does the facility have?	6,000 sq/ft total broken up into four large rooms of 1,500 sq/ft
Can the rooms be partitioned? Is the available floor space contiguous or on different floors/in different wings?	Yes. Rooms are all contiguous.
How many staff workstations can the facility accommodate?	Each room can accommodate at least 10 workstations or one functional courtroom.
How many courtrooms can the facility accommodate?	4
Does the facility have electricity, backup generator, and available power outlets?	No backup generator but plenty of wall outlets.
Does the facility have desks, chairs, and other furniture needed for setup?	Yes. As It is a school, there are already desks/chairs inside the facility.
Are any private offices available? Any rooms that could be used as judicial chambers?	None
Are there break rooms available for staff?	2 <sup>nd</sup> Floor of the Law School has a student study area that could be converted into a break room.
Are restrooms available for the public, staff, and judges?	Yes.
Is there available parking for staff and the public?	Yes. Paid parking at \$5/day.
How easy is it for the public to find the building? Is the building ADA accessible?	Very easy. Existing signage works to identify building.
Is the site best suited for courtrooms, case processing, office work, public counter services, etc.?	Courtrooms and workstations. No counter services could be conducted here.
What type of agreement (e.g., financial contract, memorandum of understanding/agreement, statutory change to allow the court to sit in another jurisdiction) is necessary to secure the facility for the court's use?	Court will need an MOU.
<b>IT Functionality</b>	
Is the facility equipped for internet or wireless internet connectivity? Is the signal strength strong enough to support the needed IT applications?	Yes. University can offer a VLAN for hardwired connection. Signal strength is strong (100mbs download speed).
If using mobile hotspots, what is their signal strength? Is the signal strength strong enough to support the needed IT applications?	AT&T – XX mbs, Verizon – XX mbs. Signal strength is adequate for a single courtroom with 4 computers using the criminal case management system.
What critical IT applications need to be accessed from the facility?	Criminal Case Management System.
What type of phone lines are available?	No phone lines available. Cell phones will be needed.
<b>Security Considerations</b>	
Are there secure areas to lock sensitive or confidential items after hours?	Yes. Second floor has a secure faculty area with a locking closet the court could use.
Is there a secure parking area and entry for judges?	No.
Are there any security vulnerabilities? (e.g., multiple entrances, no escape for judge/staff)	Due to university environment, there are multiple entrances/exits to the facility.
If inmates are to be transported to the facility for hearings, what type of secure access will there be to get them in/out of the facility?	Facility is not suitable for inmate movement.
How much security personnel will the facility require?	9 security officers to provide bailiff and weapons screening services (includes relief).
Is there a location for a weapons screening station to be set up?	Yes. Main lobby on the 1 <sup>st</sup> Floor has enough space.

[Link to Template](#) (Fill out Table 2-10A in the COOP template with the appropriate information for your court. Use link to toggle back and forth between the tables in Section II of the Guide and the corresponding tables in the Template.)

The following Table 2-10B can be used to record key information pertaining to alternate facilities once those facilities have been identified. Additional information needed for activation of may be referenced from completed checklists in Table 2-10A above.

**Table 2-10B: Alternate Facility Locations**

<b>Alternate Facility #1</b> Facility name: Community College Address: 23 Main Street, Anytown USA Point of Contact: Dean John Doe, (310) 111-2222, johndoe@court.gov	
Expected Use (courtroom, offices, jury assembly, etc.)	Three classrooms can be used for civil protective order courtrooms. Six offices are available for judges, clerks and admin staff. The gymnasium can be used for jury assembly.
Available Utilities	Power, HVAC, Water all available. Classrooms on generator power.
Furniture/Equipment Needed	University can only provide tables and chairs. All other items to be provided by the court.
Wi-Fi/Network Options	Wi-Fi signal good with Verizon and AT&T hotspots (above 20mbs download). University can offer VLAN option
Floor space (sq./ft)	Classrooms are 1,500 sq./ft. Gymnasium is 10,000 sq./ft.
Parking Availability	Parking is plentiful, but users will need to pay daily rate of \$5/car.
Accessibility Concerns	Wheelchair-bound visitors will need to be escorted through the side door.
Vulnerabilities	No secure judicial parking; lacks separate entrance for judicial officers
Agreement	MOU signed on XX/XX/2021 and stored in the Contracts database.
Staffing Considerations	
List potential anticipated number of judges and staff reporting to the alternate facility	Three judges, nine court clerks, one civil manager
Who is responsible for judges/staff reporting to the alternate facility?	Manager in charge of that operational unit
Who provides orientation on the following topics? (break room, restrooms, parking, security, safety, emergency evacuation, supplies, card/key access)	Local facility manager
Who provides notification to the following entities about the alternate facility?	
Staff	Manager in charge of that operational unit
Parties/Litigants	Clerk's Office
Justice Partners	Manager in charge of that operational unit
Public	Court Public Information Officer
<b>Alternate Facility #2</b> (Add additional facilities as appropriate)	

[Link to Template](#) (Fill out Table 2-10B in the COOP template with the appropriate information for your court. Use link to toggle back and forth between the tables in Section II of the Guide and the corresponding tables in the Template.)

**Go Kits** – When relocating to an alternate facility, the court will most likely need to transport necessary supplies to ensure the continuation of that essential function. Court departments should develop “Go Kits” in advance to ensure the continuation of their specific essential functions.

Each court department should have one or multiple Go Kits in the event a court department must relocate quickly. These kits help ensure the court can continue its essential functions if asked to relocate to a different facility. These kits only contain items that are vital to the performance of the department’s essential functions. A kit may include a USB drive to include important documents such as manuals, forms, contacts, and links necessary to perform essential functions, even if this data is hosted on a cloud site. The kit may also include a physical box or bag with manuals, supplies, equipment, etc. that are necessary to perform a department’s essential functions.

As stated earlier, one should not rely on the presence of technology and should always consider a manual work around to execute essential functions.

**‘Pre-Staged’ vs. ‘To Be Recovered’** – One suggestion to ease the financial burden of purchasing numerous items for Go Kits is to consider the concepts of ‘pre-staged’ and ‘to be recovered’. When considering Go Kits, court management must balance cost versus preparedness. There are numerous items that can be easily purchased or pulled to be ‘pre-staged’ inside a Go Kit. These ‘pre-staged’ items include forms, documents, basic office supplies, etc. There are also high-value items (e.g., laptops, printers, scanners, etc.) or items that require frequent updates. It may not be fiscally viable to purchase these high-value items for emergency use only. As such, one option is to have managers designate high-value items as ‘To Be Recovered.’ When a COOP event occurs, the hope is that managers will have access to the courthouse just long enough to recover these items from existing stock to be used at another location.

Below are some key considerations when evaluating Go Kits:

- **Number and Location:** Court management will need to determine (based on their essential functions) if a single Go Kit can serve the unit or if multiple Go Kits are needed at each facility.
- **Security and Accessibility:** Go Kits should be securely stored but also must remain readily available in an emergency. They should not be locked in an individual’s cabinet as access could be problematic in a real incident. However, these items should be stored in a secure area to prevent theft or employees using these items for day-to-day use.
- **Maintenance:** Go Kits should be maintained and inspected annually to ensure they are still applicable and readily deployable.
- **Suggested items:** Each department’s Go Kit will be unique to the essential functions it must carry out.

Below are some suggested items to include in the Go Kit:

- Documents, forms, and guides
- Manual forms and procedures
- List of critical websites (internal/external)
- Electronic storage media (e.g., USB) containing applicable documents
- Basic office supplies (e.g., post its, writing pads, stapler, pens, envelopes, receipt books, etc.)
- Carrying case or backpack

The following Table 2-10C is an example of a Go Kit checklist that can be created. Completed Go Kit checklists can be included as an attachment to the court’s COOP plan.

**Table 2-10C: Go Kit Checklist**  
(COOP Plan Attachment)

Go Kit (Department/Unit)	Facilities Team		
Go Kit Location	Downtown courthouse 1 <sup>st</sup> Floor (backpack near Facilities entrance)		
Last Checked	01/15/2021		
Item	Pre-Staged	To Be Recovered	
Mass Notification Cheat Sheet (printed)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Card Access Cheat Sheet (printed)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Contact list of emergency vendors (printed)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Facility maps for all facilities (printed)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Asbestos surveys (printed)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Courtroom information sheet (printed)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
USB device containing above items	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
(3) Laptops and charging cables	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Keys to court vehicles	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(3) Hardhats, safety goggles, gloves	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
(3) Court emergency radios with chargers	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(3) Flashlights	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Tape Measure	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
(3) Writing pads with clipboards	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Pens (writing and sharpies)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
(3) Gaffers Tape	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
(5) Surge protectors and extension cords	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
(3) Moving Dollies	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Portable generator with spare fuel	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

[Link to Template](#) (Copy and paste the text from Table 2-10C above into the corresponding Table 2-10C in the Template and then edit/complete the language in the Template table as appropriate for your court. Use link to toggle back and forth between the tables in Section II of the Guide and the corresponding tables in the Template.)

## STEP 2-11: DEFINE EMERGENCY COMMUNICATIONS

There are three key areas of communication the court must consider during a disaster or emergency:

1. Communications to **inform court judges/staff** about the status of the court in addition to their roles and responsibilities during an incident; and
2. Communications to **advise justice partners and other government entities** of the court’s operational status and coordinate services and resource requests; and
3. Communications to **advise the public** about the court’s operational status and the status of individual court cases.

The court should identify all available modalities of communications that can be used during a crisis. Ideally, a mix of redundant modalities should be considered so the court does not become overly dependent on just one or two forms of communication. Day to day modalities such as email and phone can certainly be utilized but it is helpful to review other communication options for use in a disaster or emergency situation. A sample of these different options include the following:

- Mass notification systems (Typically these are third party systems which provide rapid alerting to many individuals through a simultaneous email, phone call, and text message. These systems are a way to quickly contact many individuals and take the place of older phone trees.)
- Court website

- Emergency phone message number (Number where judges/staff can call in to obtain recorded updates about the court’s operational status.)
- Cloud based websites (Location where judges/staff can obtain information offsite in the event they cannot access the court’s network.)
- Emergency conference lines (internal/external)
- Two-way radios (Confer with the local sheriff and/or emergency management office to see if they can provide recommendations on frequencies or radio infrastructure.)
- Satellite phones
- Videoconference platforms
- Social media
- External facility signage
- Fax lines
- Building public address (PA) systems

In addition, the court should explore priority communication services reserved for government entities to maintain continuity of critical services. The following are a few examples the court could explore as judicial branch entities are eligible to receive these services. Some come with recurring costs while others are available at no cost.

- **GETS** – Courts can register for the [Government Emergency Telecommunications Service \(GETS\)](#), a free program of the Department of Homeland Security’s Office of Emergency Communications. GETS is intended to be used in an emergency when the landline network is congested. It provides priority access and processing in landline networks and increases probability of call completion. This service is provided at no cost to the court.
- **WPS** - The [Wireless Priority Service \(WPS\)](#) is a Federal program that authorizes cellular communications service providers to prioritize calls over wireless networks. Participating service providers typically deploy WPS in stages, beginning with top priority entities, until service is available in most coverage areas and functionality has reached full operating capability. This service is also provided at no cost to the court.
- **Mobile Telecom Provider Priority Network** - (e.g., [Verizon First Responder Network, FirstNet](#)) - A newly introduced emergency communications network for courts to consider includes the First Responder Network Authority (“FirstNet”), an independent authority established by Congress which will deliver a dedicated nationwide broadband network (Band 14) to emergency service providers. There may be nominal charges for courts to access the FirstNet equipment and network.

Table 2-11A on the following page denotes how to capture all the various communication modalities that can be used in an emergency and how those modalities will be used.

**Table 2-11A: Communication Modalities**

Communication System	Where is system located?	Who has access?	Unit responsible?	Who can receive communications?
Voice Lines	All workstations and courtrooms	All	N/A – all judges/staff have access to use phones	All judges/staff
Email	All workstations and courtrooms	All	N/A – all judges/staff have access to email	All judges/staff
Mobile Phones	Executive Management are issued Verizon mobile phones	Executive Management Only	Facilities department responsible for maintaining mobile phone contract	No restrictions on where calls can go to. Phones can be used as mobile hotspots if needed.
Mass Communication (ReadyCourt)	Cloud based system	COOP Coordinator, Court Administrator, HR Dir., Facility Dir.	COOP Coordinator oversees contract with third party vendor.	All judges/staff. Some key stakeholders (e.g., prosecutor, public defender, probation).
Two-Way Radios	Evacuation leaders at all courthouses and CMT	Evacuation leaders at all courthouses and CMT.	COOP Coordinator	Only those who have a radio (Court uses Channel 1, Sheriff uses Channel 2).
Emergency Phone Message Number	Hosted on the VOIP server (number is XXX-XXX-XXXX)		COOP Coordinator or HR Director can leave messages on this line.	All judges/staff
Cloud based information site	Secure online SharePoint site <a href="https://secure...">https://secure...</a>	IT Director, COOP Coordinator, HR Director	COOP Coordinator will post updates on at the direction of the CMT	All judges/staff
Videoconference Platforms	Microsoft Teams, Cisco WebEx	All judges/staff	IT Director	All judges/staff
Satellite Phones	One phone located at each courthouse in the Facilities Office	Facility Manager	IT Director	No restrictions on where calls can go to.
Social Media	Facebook, Twitter	PIO	PIO	Public access
GETS/WPS	All CMT members are issued GETS cards and have WPS on their court mobile phones	All CMT members	COOP Coordinator	GETS works on landline networks and can dial all numbers. WPS will give priority on mobile phones.
FirstNet Devices	One FirstNet phone located at each courthouse	Facility Manager	IT Director	No restrictions on where calls can go to. Phones can be used as mobile hotspots if needed.
Fax Lines	One fax located in the facilities department in every courthouse. Fax numbers stored on SharePoint site	All judges/staff	Facility Managers	Any available fax lines.
Building PA systems	Downtown and Juvenile courthouse have building wide PA systems	Facility Manager and Sheriff Staff. Messages sent from local control station.	Facility Manager	All building occupants in the Downtown and Juvenile courthouse.
<i>Insert others</i>				

[Link to Template](#). (Fill out Table 2-11A in the COOP template with the appropriate information for your court. Use link to toggle back and forth between the tables in Section II of the Guide and the corresponding tables in the Template.)

After identifying all the various modalities that the court can use, a communication strategy should be developed which includes the following:

- Protocols for situational awareness

- Communications with stakeholders and partners
- Last resort communications plan

A key element when considering protocols for situational awareness during an emergency is the development of a Common Operating Picture (COP). COP can be a tool that provides situational awareness allowing court officials to make accurate, informed decisions based on current or planned activities during an emergency incident. Data and real time sources used to support all court functions in a response are displayed onto a single platform. This platform can be as simple as a whiteboard that highlights key decisions, messages, actions, etc. inside a conference room where the CMT meets, or complex cloud-based tools (e.g., WebEOC) where court departments can electronically upload situation updates into a real-time virtual platform/chat room.

Communications with stakeholders and partners are critical during a disaster or emergency situation. The court should determine who will provide such communications to each stakeholder and partner, and at what frequency. Setting up regular situation status briefings with the CMT and key management/stakeholders helps develop the court’s COOP plan. A sample situation status briefing agenda is shown below.

### **Sample Situation Status Briefing Agenda**

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*Topic 1: Emergency Management and Executive Opening*

- *COOP Coordinator provides situation assessment*
- *Presiding or Chief Judge and/or Court Administrator Concerns and Priorities*

*Topic 2: Departmental Reports on Impact of Disaster and Current Response Efforts*

- *Facilities*
- *Operations – Review all case types*
- *General Counsel*
- *HR*
- *IT*
- *Finance*
- *Security*

*Topic 3: Contingency Planning*

- *Review what contingency plans have been developed*

*Topic 4: Communication – Assess what communication has been sent or needs to be sent to the following stakeholders:*

- *Judges/staff*
- *Jurors*
- *Justice Partners and Building Tenants*
- *Media/Rumor Control*
- *Public – verbal, physical signage, social media, website*
- *Local emergency management agency*
- *State AOC*

*Topic 5: Resources*

- *Assess any gaps in current resources/supplies*
- *Assess what resources need to be procured*

*Topic 6: Determine when next briefing will occur*

Lastly, even with multiple redundancies, it is helpful to identify a “last resort” plan of communication. If all technology is down, how will the CMT communicate with one another and with court judges/staff? The following Table 2-11B denotes a communication strategy for how the court will communicate with its stakeholders and partners.

**Table 2-11B: Communication Strategies**

Table 2-11B: Communication Strategies			
Protocols for Situational Awareness			
How will the court maintain a Common Operating Picture (COP), so management and judicial leadership understand the situation and what the operational plan is?	COOP Coordinator will schedule regular (daily or weekly depending on incident) situation status briefings with the CMT. In addition, the court maintains a cloud-based SharePoint site (Court WebEOC) where managers across all court departments will post a daily update.		
How will the court provide updates to judges/staff who may not be onsite or have access to their court email?	The court will activate its cloud-based SharePoint site (Court Emergency Page). Alerts will be sent via the mass communication system (Ready Court) to all judges/staff when updates are made to this site.		
How will the court communicate operational status to the local/county emergency operations center?	The COOP Coordinator is on the activation roster for when the County EOC activates and thus will participate in all ongoing conference calls. COOP Coordinator also has a login to the County's WebEOC portal thereby allowing the court to share situation status to the County EOC. The County EOC Director will serve as primary contact with the court. The backup contact will be the northwest regional Emergency Management Specialist.		
Does the court have a seat at the local/county EOC?	Yes. If requested, an Operations Manager would be sent to the county EOC and would be assigned to the EOC Operations Section.		
<i>Insert additional rows as needed</i>			
Stakeholder Communications			
Stakeholder	Primary Communicator	Frequency of Communications	Communication Modality
Staff	Court Administrator	At least weekly	Email or Mass Notification System
Judges	Presiding or Chief Judge	At least weekly	Email or Mass Notification System
Justice Partner/Building Tenants	Operations Director	Daily	Email, Phone, or Face to Face
Jurors	Jury Services Manager	Updates posted daily on court website	Public Website, Phone
Litigants/Witnesses/Parties	Local clerks/supervisors	As needed per hearing	Email and Phone
Media	PIO	As needed	Press Releases, Email, Phone
Employee Unions	HR Director	Daily	Email, Phone, or Face to Face
Public	PIO	At least weekly	Public Website, Social Media
Local/County EOC	COOP Coordinator	Daily	Email, Phone, WebEOC account with County
Sheriff's Office	Court Administrator	Daily	Email, Phone, or Face to Face
Local Bar Associations/Legal Service Associations	PIO (with assistance from Supervising Judges)	As needed	Email
State AOC	Court Administrator	At least weekly	Email and Phone
<i>Insert others</i>			
Last Resort Plan			
In the event all primary forms of communication are not operable, how will communication and coordination occur?	If telecom is down, the plan will be to have the CMT meet in the parking lot of the downtown courthouse at 8am on the morning following the initial incident.		

[Link to Template](#) (Fill out Table 2-11B in the COOP template with the appropriate information for your court. Use link to toggle back and forth between the tables in Section II of the Guide and the corresponding tables in the Template.)

## STEP 2-12: EXPLORE HR CONSIDERATIONS

**Contact Lists** – As mentioned in the discussion regarding communications above (Step 2-11), keeping in contact with judges/staff is a priority in an emergency. Maintaining a contact roster of judges/staff, preferably electronic, is ideal. Investment in a mass notification system to send alerts (text and personal email) can greatly assist in quickly and efficiently contacting the court’s workforce. Having these contact lists available either in hard copy form, USB, or on a secure cloud website as a backup can prove helpful in an emergency. Contact rosters should include a mobile phone number, personal email, home address, and emergency contact at a minimum. The following Table 2-12A provides an example of guidance that may be useful for a court in regard to contact lists.

Table 2-12A: Workforce Contact Lists	
Item to Consider	Guidance Available
Who is responsible for collecting contact information?	All supervisors maintain an excel sheet that has personal contact info for all staff. The excel sheet is saved by the supervisor and is shared with their respective Department Director. Department Directors share the compiled excel sheets with the Court Administrator.
Where are rosters with all staff/judge contact information maintained?	Contact excel sheets are saved on a secure court server. Backup copies are saved on secure USB drives maintained by the Presiding or Chief Judge, the Assistant to the Presiding or Chief Judge and the Court Administrator. In addition, the court maintains a mass notification system where judges/staff self-report their personal contact information (personal email and mobile phone).
How often is contact information Audited?	Annually
Procedure for handling staff/judge injuries, death, notification of next of kin or other designated contacts.	In the event of an injury/death, the HR Director will reach out to the employee’s Department Director to obtain emergency contact information. HR will make all next of kin notifications if needed and report injuries/deaths to the local OSHA office.
<i>Insert others</i>	

[Link to Template](#) (Fill out Table 2-12A in the COOP template with the appropriate information for your court. Use link to toggle back and forth between the tables in Section II of the Guide and the corresponding tables in the Template.)

Another key aspect of HR communications pertains to how major injuries, deaths, and other important notifications to next of kin or other designated contacts will occur and who will be responsible for those notifications. In addition, certain employee injuries and deaths must be reported to the local OSHA office.

**Employee Welfare** – During an emergency, it is important to remember that judges/staff are often the survivors of the disasters themselves. Although court staff are designated as essential workers, the desire to continue the administration of justice must always be balanced with employee morale and welfare. Procedures should be developed to ensure management is checking in on staff well-being (e.g., individual supervisor-employee meeting and/or larger town hall style meetings). Many, if not most courts, offer services such as Employee Assistance Programs (EAP). While developing COOP plans, courts should explore what existing employee health benefits are offered and any additional services or programs they may be able to offer during a crisis. Disaster fatigue can settle in when an emergency continues not just for a few days or weeks, but for many months. Thus, exploring opportunities to promote the welfare and well-being of judges/staff, as well as methods to periodically check in on staff, should be addressed in the plan.

**Staffing** – In a major disaster, a court may face challenges due to staff/judicial absenteeism. Courts will need to determine how they will maintain essential functions with limited available staff, including possibly hiring temporary staff and/or rehiring retirees.

The following Table 2-12B provides an example of guidance that may be useful for a court in regard to employee welfare and staffing.

**Table 2-12B: Employee Welfare and Staffing Strategies**

Item to Consider	Guidance Available
<b>Employee Welfare</b>	
What services are available to help employee welfare during a crisis?	Court uses County Employee Assistance Program (EAP), Court has also partnered with Red Cross to bring in disaster mental health counselors onsite if needed (HR Director has contact information for Red Cross contacts). In a disaster, HR Benefits team will contact the three major employee health providers to assess what services they can provide to judges/staff either on or offsite.
How will disaster fatigue be addressed?	Periodic surveys will be sent to staff (at least monthly) to assess the court's response and the staff's pressing concerns. Townhall meetings will also be utilized to address if an emergency continues beyond 30 days.
<i>Insert others</i>	
<b>Staffing Strategies During Emergencies</b>	
Procedure for hiring additional staff on an interim basis (e.g., temp agencies, retirees, etc.)	HR Staffing Manager has contract with temp agency (Select Pro) to provide emergency hiring of temporary workers. HR Staffing also maintains a roster of all retirees to include their contact information and job titles when at the court.
Procedure for on how to obtain additional judges if there is a shortage of judicial officers available.	Operations Judicial Assistance Group maintains a list of temporary judges and retired judges that can be used in an emergency.
<i>Insert others</i>	

[Link to Template](#) (Fill out Table 2-12B in the COOP template with the appropriate information for your court. Use link to toggle back and forth between the tables in Section II of the Guide and the corresponding tables in the Template.)

**HR Policies** – Having emergency policies in place prior to a disaster can greatly help the court mitigate the variety of HR concerns that arise during a disaster. Emergency leave policies, approved prior to a disaster, can assist the court in potentially obtaining FEMA Public Assistance grant monies after a disaster. The following policies should be addressed in either a master HR emergency policy or separate policies:

- **Work schedules and compensation** – Do current policies address whether nonessential staff is paid during COOP plan implementation? What will be the guidance given to nonessential staff? Are there criteria under which staff can obtain cash advances, if needed? Can the court require essential functions staff to work overtime or on a compressed schedule to ensure the court is operational within a 12-hour period? Do COOP staff receive overtime payment if the normal workday is extended? Is there a policy for administering payroll if normal processes and databases are unavailable?
- **Flexible work hours and teleworking** – Do policies provide guidance for granting staff flexible work schedules and/or permission to work from home?
- **Obtaining additional staff support** – If additional staff is needed, are there streamlined procedures/guidelines for hiring temporary staff and/or consultants during an emergency?
- **Logistical support** – What accommodations (e.g., day care) are available for essential staff members who have dependents and are required to work after normal business hours? What options are available for staff members who need transportation to the alternate facility or temporary housing near the facility? Are staff members reimbursed for these and related expenses?
- **Discipline** – What does the court do if an essential functions staff member refuses to report for work?
- **Staff education and training** – Does the court have a policy requiring education about the COOP plan, staff roles and responsibilities during a disaster, and helping staff members prepare their families for emergency conditions (e.g., stockpiling water and nonperishable food, keeping a list of emergency phone numbers)?

The following Table 2-12C provides an example of guidance that may be useful for a court in regard to emergency HR policies:

**Table 2-12C: HR Policies and Guidance**

Personnel Areas	Specific Personnel Issue	Guidance Available
Work schedules and compensation	Payment of nonessential staff	HR Emergency Policy #XX-XX provides that the court will continue to pay non-essential staff as budget permits. Furlough and layoff process is included within this policy.
	Role of nonessential staff	HR Emergency Policy #XX-XX states that non-essential staff will remain home during the crisis. If telework is conducive to their position, it will be implemented. Nonessential staff can also be retrained or redeployed as needed.
	Overtime for essential functions staff	HR Overtime Policy #XX-XX governs how overtime can be used in a disaster. OT does not need to be approved by the Court Administrator but rather Department Directors
	Payroll administration when normal processes unavailable	HR Emergency Policy #XX-XX states that when payroll is not available, all staff will be paid the same amount they were paid from a prior pay period. Adjustments will be made within 60 days to correct for any errors.
	<i>Include additional issues here</i>	
Flexible work hours	Modification of work hours	HR Emergency Policy #XX-XX allows for modification of normal work hours for employees. This option may not be available for all job classifications and must be approved by a supervisor.
	<i>Include additional rows as needed</i>	
Leave	Emergency leave	HR Emergency Policy #XX-XX explains the various leave options that can be used in an emergency. The Presiding or Chief Judge has the discretion to allow for 80 hours of paid leave for staff in an emergency.
	<i>Include additional rows as needed</i>	
Obtaining additional staff	Emergency staffing	HR Emergency Policy #XX-XX addresses how standard hiring practices can be suspended (e.g., competitive examinations) and the use of temporary workers and bringing back retirees.
	<i>Include additional rows as needed</i>	
Logistical support	Emergency housing	HR Emergency Policy addresses how the Court Administrator can authorize the reimbursement of lodging and meals for those employees who need to be housed at an offsite location.
	<i>Include additional rows as needed</i>	
Discipline	Employee Discipline	The court's standard Policy and Procedures Manual (2012) discusses employee discipline. All policies contained in this document would apply during a disaster.
	<i>Include additional rows as needed</i>	
Education and training	Preparedness Training	No specific policy but court runs a CERT program to help train staff on how to prepare for disasters. Classes are held annually.
	<i>Include additional rows as needed</i>	
Telework	Telecommuting	Telework Policy #XX-XX directs how telework will be expanded in a disaster.
	<i>Include additional rows as needed</i>	
Other		
	<i>Include additional rows as needed</i>	

[Link to Template](#) (Fill out Table 2-12C in the COOP template with the appropriate information for your court. Use link to toggle back and forth between the tables in Section II of the Guide and the corresponding tables in the Template.)

## STEP 2-13: IDENTIFY THE RESOURCE MANAGEMENT PROCESS

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Disasters will often require courts to procure items and resources quickly. Normal government procurement protocols may not prove timely, and thus there needs to be a strategy to procure resources in an expedited manner. A disaster procurement strategy should incorporate how emergency purchases are made.

Resource management also entails working with existing service providers and vendors. Some of the most important vendors to coordinate with prior to a disaster are the court's utility providers (e.g., power, water, gas). It is important to understand the redundancies in these systems and the court's priority for restoration. Asking these vendors if the court is considered an essential provider for critical restoration is helpful to ensure the courthouse can remain operational. If the courthouse has generators, identifying how those generators will be refueled is critical to ensure the continuity of power.

Courts should consider purchasing emergency supplies to prepare for a disaster. These could include basic emergency kits, USB charging devices, or laptop power banks. The court should also identify if there are any specific emergency supplies that may be needed for unique hazards (e.g., PPP equipment for pandemic situations or air purifiers and dust masks for courthouses near wildfire prone regions).

[FEMA's Ready Business Resource Management](#) website also provides some additional suggestions on resource management during disasters.

The following Table 2-13 provides an example of a completed resource management strategy.

**Table 2-13: Resource Management Strategy**

Item to Consider	Explanation, Response, or Protocol
How will emergency purchases be made? Who will take the lead in procuring and managing supplies in an emergency?	When COOP is activated, the Presiding or Chief Judge and/or Court Administrator can bypass normal procurement protocols and enact the emergency procurement strategy as dictated in the court's Procurement Manual. The court also has a verified government account through Amazon which allows for priority purchasing of goods for first responders. The court's Procurement Manager will serve as lead in obtaining and managing supplies for the court.
Which positions have access to court credit cards that can be used in an emergency? What is their limit?	Presiding or Chief Judge, Court Administrator, Procurement Manager, Finance Director, Facilities Director. Credit card limit on all cards are \$50,000.
What is the protocol for requesting resources from the local/county emergency operations center? What resources are they able to provide in an emergency?	Resource requests to the County EOC must be made through the court's Procurement Manager. Requests can be made either through the WebEOC portal or a County EOC request form #XX-XX and emailed to XXXX@countyec.org.  County EOC can provide personal protective supplies, portable generators, emergency food/water, popup tents, trailers, and other emergency supplies as they have available. County EOC can also help promote any public messaging the court would like sent to the public.
What is the protocol for requesting resources from the State AOC? What resources are they able to provide in an emergency?	Resource requests to the AOC will be made through the Court Administrator. Court Administrator will submit an email/phone request to the AOC Facilities Director for what supplies are needed or call the 24/7 AOC Facilities number if AOC Facilities Director is unavailable.  AOC can provide air purifiers, portable generators, building engineers, expertise on insurance related to the facilities, realtors to provide research on securing alternate sites, IT cybersecurity experts, and personal protective equipment.
Where is the list of critical vendors and contact information maintained? Who maintains it?	The procurement manager maintains a list of all critical vendors. List is backed up onto a USB drive and stored in the Facilities Director office and Procurement Manager office.
Have all courthouses been designated with priority utility service and for priority restoration after a disaster? Where are the emergency contacts for each utility stored?	Yes. All courthouses are exempt from rolling outages and have been designated to receive priority service. Meter numbers and utility contacts are stored in the local Facility Manager office.
What is the protocol to ensure courthouse generators (if applicable) are maintained and refueled during an emergency?	Generators undergo monthly preventative maintenance and yearly full load testing.
How long does each courthouse generator run, and what will it power?	All courts are equipped with fuel tanks to ensure generators will run at least 24 hours before refueling is required. Generators provide sufficient power to run the server room and all emergency systems in the courthouse.
What mutual aid agreements are in place with other court systems to provide aid in an emergency? What resources can be provided or shared?	Mutual aid agreements are in place with both the XXXXX County and XXXXX County court systems. The mutual aid agreement is stored in the Facilities Office.  Resources to be shared include computers, servers, personal protective equipment, facility space, and personnel.
Where are court emergency supplies stored and maintained? (e.g., food, water, first aid, flashlights, dust masks, USB chargers, laptop power banks, etc.)? Include any hazard specific emergency supplies.	Emergency buckets are stored throughout each court facility (typically in break rooms). These buckets contain emergency food, water, flashlights, first aid kits, dust masks). Local facility managers know the exact locations of all buckets. Buckets provide enough emergency food/water to support all judges/staff for three days if needed. As wildfire smoke is a concern, all courthouses keep a supply of 100 dust masks in the event of a poor air quality event.
<i>Insert other questions to cover any additional procedures the court wishes to specify for this topic.</i>	

[Link to Template](#) (Fill out Table 2-13 in the COOP template with the appropriate information for your court. Use link to toggle back and forth between the tables in Section II of the Guide and the corresponding tables in the Template.)

## STEP 2-14: DEVELOP A DEVOLUTION PLAN

The court’s devolution plan describes what to do if a catastrophic event renders leadership and essential staff incapacitated and/or renders the courthouse and alternate facilities nonfunctional. During devolution, the court would transfer authority and responsibility for essential functions to officials in another court. Devolution is something that should be coordinated with the State AOC as court jurisdiction could be limited to specific county or geographical boundaries. Efforts to move court operations out of normal jurisdictional boundaries should be coordinated with the State AOC as emergency orders may need to be generated to accommodate the legal transfer of jurisdiction. In some cases, a court may not realistically be able to devolve because of legal implications and/or restrictions. In other cases, a court may determine that some restrictions can be suspended during emergency conditions. A sample devolution plan can be found in Table 2-14 below:

Table 2-14: Devolution Plan		
Provide contact information for alternate court(s) available to perform essential functions (Add as many rows as necessary)		
Court	Contact Information	Is there a written agreement with the alternate court(s)?
XXXXX County	John Doe, Court Administrator, <a href="mailto: johndoe@court.gov">johndoe@court.gov</a> , (XXX) XXX-XXXX	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
XXXXX County	Jane Doe, Court Administrator, <a href="mailto: janedoe@court.gov">janedoe@court.gov</a> , (XXX) XXX-XXXX	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
List the officials and their successors (by position) allowed to transfer authority to perform essential functions (Add as many rows as necessary)		
Succession	Title	
Primary Official	Presiding or Chief Judge	
Successor	Court Administrator	
Successor	Operations Director	
Provide a plan for transferring essential records and other materials necessary for performing essential functions to alternate court(s). For example, will essential records and materials be stored and updated on the same schedule as those stored with alternate facilities?		
Court IT Director will meet with their counterpart at either XXXXX County Courts or XXXXX County Courts to provide login credentials for their staff to access all cloud-based case management systems needed to move essential functions over to their County. Because HR and Purchasing programs are run through the State AOC, IT Director will inform State AOC that login credentials need to be accessed by XXXXX/XXXXX County Court systems. Non-cloud-based applications (e.g., Protective Order Database) will need to be configured so the alternate court can access or potentially move server to alternate court location.		
List procedures for notifying the alternate court of devolution.		
The Presiding or Chief Judge will have a conference call with both the State Chief Justice and the Presiding or Chief Judge of the alternate court of devolution. This conference call will determine if devolution is necessary and if the alternate court can absorb the court’s essential functions. It will also set the parameters of what specifically will be devolved over to the alternate court. Once this call occurs, the Presiding or Chief Judge will debrief with the CMT on the next steps.		
List procedures for returning authority once the court is reconstituted.		
If devolution is underway, there will be a weekly conference call between the Presiding or Chief Judge and the alternate Presiding or Chief Judge to assess the status of devolution operations. Once the time comes to end the devolution process, the Presiding or Chief Judge will have a conference call with both the State Chief Justice and the Chief Judge of the alternate court of devolution. This conference call will determine when to return authority from the alternate court.		
Are there any essential functions that are unable to be transferred to another court system due to law, regulation, or statute?		
Juvenile Court is not allowed to be taken outside of our county jurisdiction per state regulations.		

[Link to Template](#) (Fill out Table 2-14 in the COOP template with the appropriate information for your court. Use link to toggle back and forth between the tables in Section II of the Guide and the corresponding tables in the Template.)

## PART B: ACTIVATING COOP IN A DISASTER OR EMERGENCY

### STEP 2-15: IDENTIFY COOP ACTIVATION TRIGGER POINTS AND ACTIVITIES

It is important to identify the conditions under which the COOP plan will become activated and who has the authority to activate the plan. COOP activation can sometimes be obvious (e.g., major earthquake strikes a locality, global pandemic, etc.). However, there may be other incidents that are very court specific that can have a significant impact on a court, but the surrounding locality is not impacted (e.g., targeted cyberattack, extended loss of utilities at a single courthouse, asbestos release in a courthouse). The COOP response should be flexible and scalable based on the specific emergency incident, and not every crisis is going to require the court to implement all aspects of the COOP plan. For example, in a cyberattack scenario, alternate facilities may not be needed. Other emergency events may not require any activation of the COOP. For example, a fire emergency may require a short-term evacuation of the court facility followed by the resumption of normal operations without the activation of the COOP.

Incidents can occur both during and after work hours. Thus, identifying trigger points during these timeframes can also assist in knowing when to activate a COOP.

The following Table 2-15A provides a list of considerations for when to activate the COOP plan and a list of questions to help assess activation trigger points.

Table 2-15A: COOP Activation Considerations	
General Considerations For When to Activate the COOP	
<input type="checkbox"/>	Direction and guidance from higher authorities (e.g., Mayor, Governor, President, Public Health Officials).
<input type="checkbox"/>	The health and safety of staff.
<input type="checkbox"/>	The ability to execute court essential functions.
<input type="checkbox"/>	Changes in threat or weather advisories.
<input type="checkbox"/>	The functioning of critical infrastructure (including communications systems, information systems, facilities, and other vital equipment).
<input type="checkbox"/>	The potential impact on critical court justice partners (e.g., court security staffing, clerk of the court, prosecutor's office, public defender's office, etc.).
<input type="checkbox"/>	The expected duration of the emergency.
<input type="checkbox"/>	<i>Insert others</i>
Questions to Assess COOP Activation Trigger Points	
<input type="checkbox"/>	Is the threat aimed at the courthouse, personnel, or surrounding area?
<input type="checkbox"/>	Are employees unsafe remaining in the courthouse and/or area?
<input type="checkbox"/>	Is it safe for employees to return to work the next business day?*
<input type="checkbox"/>	What is the status of the courthouse building infrastructure? (e.g., building structure, water, electricity, gas, HVAC and IT systems)
<input type="checkbox"/>	Will building infrastructure systems be operational the following business day? (e.g., building structure, water, electricity, gas, HVAC and IT systems)*
<input type="checkbox"/>	Can pressing matters be sent to another courthouse with minimal impact to normal operations?
<input type="checkbox"/>	Are courthouse occupants affected? Have they evacuated or sheltered in place?*
<input type="checkbox"/>	What are the instructions from first responders?*
<input type="checkbox"/>	What pressing matters or cases with time constraints remain on the court calendar for the remainder of the day?*
<input type="checkbox"/>	<i>Insert others</i>
Note: * indicates events occurring after work hours; ** indicates events occurring without warning	

[Link to Template](#) (Copy and paste the text from Table 2-15A above into the corresponding Table 2-15A in the Template and then edit/complete the language in the Template table as appropriate for your court. Use link to toggle back and forth between the tables in Section II of the Guide and the corresponding tables in the Template.)

Table 2-15B is a generic activation checklist to utilize when activating the COOP.

Table 2-15B: COOP Activation Checklist	
Initial Status Briefing, Assessment and COOP Activation	
<ul style="list-style-type: none"> <li><input type="checkbox"/> COOP Coordinator sets up conference call or In-person meeting with CMT for current situation status briefing (sample briefing format found in Communications Section).</li> <li><input type="checkbox"/> Presiding or Chief Judge and/or Court Administrator decides to activate COOP.</li> <li><input type="checkbox"/> COOP Coordinator sends alert notification to all managers regarding COOP activation.</li> <li><input type="checkbox"/> Facilities staff conducts assessment of the building(s) (if threat/hazard may have impacted facilities) and begin coordinating repairs with appropriate vendors.</li> <li><input type="checkbox"/> <i>Insert others</i></li> </ul>	
Crisis Management Team (CMT) Activation	
<ul style="list-style-type: none"> <li><input type="checkbox"/> Retrieve the current COOP (virtual or hard copy) and review this Activation Checklist.</li> <li><input type="checkbox"/> Provide court wide communication to all staff and judicial officers as to the current situation status.</li> <li><input type="checkbox"/> Assess what communication needs to be sent to critical justice partners (e.g., prosecutor's office, public defender's office, etc.)</li> <li><input type="checkbox"/> Assess if courthouse(s) should remain open or closed.</li> <li><input type="checkbox"/> Assess how the court's essential functions are impacted.</li> <li><input type="checkbox"/> Assess if alternate facilities need to be implemented and if judges/staff need to deploy to fulfill essential functions offsite or remotely.</li> <li><input type="checkbox"/> Assess how to handle judges/staff not performing essential functions. Should they report home? Telework? Remain onsite?</li> <li><input type="checkbox"/> Assess how to handle trials currently in progress.</li> <li><input type="checkbox"/> Assess how to handle jurors and what communication needs to be sent to onsite and summoned jurors.</li> <li><input type="checkbox"/> Assess if an emergency order is needed from the court of last resort.</li> <li><input type="checkbox"/> Assess if any emergency HR policies need to be enacted.</li> <li><input type="checkbox"/> Assess courthouse security to include information on inmate movement, availability of security staffing, securing entrances, any other safety measures to protect judges/staff.</li> <li><input type="checkbox"/> <i>Insert others</i></li> </ul>	
Department Managers Activation	
<ul style="list-style-type: none"> <li><input type="checkbox"/> Assess the welfare of staff and determine availability of staff to remain working. Report injured or missing employees through their chain of command and to HR.</li> <li><input type="checkbox"/> For after-hours events, assess which critical staff needs to be notified before the following business day and make contact as appropriate.</li> <li><input type="checkbox"/> Assess unit's facility space for any damage or concerns. Report information to Facilities Management.</li> <li><input type="checkbox"/> Review essential functions. Prioritize essential functions based on existing workload and determine if Return Time Objectives (RTO's) can be accomplished.</li> <li><input type="checkbox"/> Identify critical staffing/resource requirements and health/safety concerns.</li> <li><input type="checkbox"/> Identify communication concerns and assess the unit's IT equipment and applications. Determine which essential records, software, applications, etc. are needed.</li> <li><input type="checkbox"/> Discuss any internal or external messaging that needs to be completed.</li> <li><input type="checkbox"/> Based on available staffing, existing resources, and work area condition, begin to assess if essential functions can continue in current facility. Report the operational status and any relevant action steps through the chain of command.</li> <li><input type="checkbox"/> Assess and secure the unit's Go Kit in case of relocation.</li> <li><input type="checkbox"/> Notify any support agencies or critical contacts of the COOP activation</li> <li><input type="checkbox"/> <i>Insert others</i></li> </ul>	
Other Key Stakeholder Activation	
<i>Insert important action steps that need to occur</i>	

[Link to Template](#) (Copy and paste the text from Table 2-15B above into the corresponding Table 2-15B in the Template and then edit/complete the language in the Template table as appropriate for your court. Use link to toggle back and forth between the tables in Section II of the Guide and the corresponding tables in the Template.)

## PART C: ONGOING COOP OPERATIONS DURING A DISASTER OR EMERGENCY

### STEP 2-16: IDENTIFY KEY ROLES/RESPONSIBILITIES DURING A CONTINUITY EVENT

The following Table 2-16 provides a high-level overview of the general responsibilities that various court departments have during a COOP event. Many of these could be considered essential functions or could be supporting activities to essential functions. The table is presented in the form of a checklist to ensure the key roles/responsibilities of court departments are not overlooked in a continuity event. COOP planners should customize this checklist based on their individual court's specific operations and responsibilities.

Table 2-16: Key Roles/Responsibilities During a Continuity Event
<b>COOP Coordinator/Emergency Management</b>
<ul style="list-style-type: none"> <li><input type="checkbox"/> Provide guidance to the CMT on existing court emergency plans and procedures.</li> <li><input type="checkbox"/> Assist with crisis communications in collaboration with the Court Public Information Officer.</li> <li><input type="checkbox"/> Coordinate and facilitate situation status conference calls/in-person meetings as needed for the CMT.</li> <li><input type="checkbox"/> Serve as primary liaison to the local/county Emergency Operations Center (EOC). Provide resource requests to the County EOC as needed.</li> <li><input type="checkbox"/> <i>Insert others</i></li> </ul>
<b>Court Operations</b>
<ul style="list-style-type: none"> <li><input type="checkbox"/> Assess and determine courtroom operation capabilities based on available staff.</li> <li><input type="checkbox"/> Triage calendars to determine which critical hearings must proceed and which could be continued.</li> <li><input type="checkbox"/> Coordinate with facility managers to set up triage tables outside the courthouse to assist public on how their case is being handled and where to make payments or filings.</li> <li><input type="checkbox"/> Coordinate with court security managers on security needs.</li> <li><input type="checkbox"/> Coordinate with security transport managers on the scheduling of in-custody transportation and bailiff requests.</li> <li><input type="checkbox"/> Ensure critical case files and or paperwork is preserved.</li> <li><input type="checkbox"/> Coordinate the transfer of cases to court or non-court facilities as stated in the Alternate Facilities portion of the plan.</li> <li><input type="checkbox"/> Provide communication to parties affected by the incident and coordinate information to justice partners.</li> <li><input type="checkbox"/> Provide timely information and direction to existing and prospective jurors.</li> <li><input type="checkbox"/> <i>Insert others</i></li> </ul>
<b>Finance</b>
<ul style="list-style-type: none"> <li><input type="checkbox"/> Monitor cash flow and provide guidance to the CMT on the financial status of the court.</li> <li><input type="checkbox"/> Set up and communicate jobs codes in order to track emergency spending for possible FEMA reimbursement.</li> <li><input type="checkbox"/> Assist with any emergency procurements or contracts needed to respond to the incident.</li> <li><input type="checkbox"/> Ensure continuity of payroll for staff and judges.</li> <li><input type="checkbox"/> <i>Insert others</i></li> </ul>
<b>IT</b>
<ul style="list-style-type: none"> <li><input type="checkbox"/> Assess and restore IT infrastructure (e.g., computer rooms, network, internet, phones).</li> <li><input type="checkbox"/> Assess and restore critical applications needed to fulfill the court's essential functions.</li> <li><input type="checkbox"/> Provide IT technical support for judges/staff who are displaced to another work location.</li> <li><input type="checkbox"/> Repair or replace IT equipment to support essential functions.</li> <li><input type="checkbox"/> As telework may be a critical tool in order to complete mission essential functions, IT should be prepared to increase the amount of approved staff who need access to effectively telework.</li> <li><input type="checkbox"/> There may be increased use of videoconferencing due to a lack of a facilities. As such IT should be ready to mobilize videoconference systems at all courthouses and/or move existing systems to an alternate facility. IT should also ensure network bandwidth is monitored to maintain operations with increased demand on videoconferencing or telework.</li> <li><input type="checkbox"/> <i>Insert others</i></li> </ul>
<b>Human Resources</b>
<ul style="list-style-type: none"> <li><input type="checkbox"/> Monitor and process paperwork related to staff/judge injuries and deaths.</li> </ul>

<input type="checkbox"/> Provide guidance on modification of staff work schedules, job duties, or work location. Address any grievance issues that may arise. <input type="checkbox"/> Provide ongoing communication to respective bargaining units regarding staff deployment, working conditions, and job functions during the incident. <input type="checkbox"/> Work with external behavioral health resources to provide crisis counseling for staff affected by the incident. <input type="checkbox"/> Assist in staff accountability by responding to manager requests for employee contact information. <input type="checkbox"/> Provide direction on related leave and other HR policies/protocols. <input type="checkbox"/> Provide guidance on any emergency benefits (e.g., health, dental, childcare, COBRA, etc.) <input type="checkbox"/> <i>Insert others</i>
<b>General/Legal Counsel</b>
<input type="checkbox"/> Complete Judicial Emergency Orders as needed. <input type="checkbox"/> Provide guidance to judges on how cases can be appropriately handled during emergency incidents. This will include interpretation of how Judicial Emergency Orders apply to their specific case types. <input type="checkbox"/> <i>Insert others</i>
<b>Facilities</b>
<input type="checkbox"/> Assess facility damage and coordinate with applicable vendors to provide repair. <input type="checkbox"/> Coordinate any environmental testing to ensure safe workspaces. <input type="checkbox"/> Provide office supplies to units performing essential functions. <input type="checkbox"/> Facilitate moves using internal resources or external moving companies to transport staff/resources to needed areas. <input type="checkbox"/> <i>Insert others</i>
<b>Public Information Officer</b>
<input type="checkbox"/> Develop and distribute press releases through all available media outlets. Of concern will be which facilities and services are still available to the public during the COOP activation. <input type="checkbox"/> Ensure the court's social media platforms and public website are updated with current information <input type="checkbox"/> and inquiries on social media platforms are being addressed. <input type="checkbox"/> Coordinate any press conferences as appropriate. <input type="checkbox"/> Liaison with other Public Information Officers (e.g., city, justice partner, law enforcement) to ensure accurate and unified messaging to the public. <input type="checkbox"/> <i>Insert others</i>
<b>Insert other departments as necessary</b>
<i>Include key action steps this department would take during a continuity event</i>

[Link to Template](#) (Copy and paste the text from Table 2-16 above into the corresponding Table 2-16 in the Template and then edit/complete the language in the Template table as appropriate for your court. Use link to toggle back and forth between the tables in Section II of the Guide and the corresponding tables in the Template.)

## PART D: RECONSTITUTION AND COST RECOVERY

### STEP 2-17: IDENTIFY THE RECONSTITUTION PROCESS

Reconstitution includes procedures to terminate alternate operations and resume normal operations. The court should identify and outline a plan to return to normal operations once the CMT determines the disaster or emergency no longer poses a threat. In addition to facilities-related challenges, there will likely be challenges related to workload, depending on the nature of the disaster. For example, following a major storm with catastrophic damages, there may be an influx of certain case types including family, probate, property, and insurance cases. The public may need help in showing title to property to qualify for expedited assistance from FEMA. Family law cases may see issues with relocating children outside a jurisdiction, establishing guardianships, determining custody, and issuing emergency protection orders.

Reconstitution is not a single event but rather a planning process that involves consideration of how to restore operations at the courthouse. Bringing a court's operations back online cannot be accomplished through one individual; therefore, the court should adopt a team approach to restore operations. A cross functional team made of the units below helps create a well-rounded Reconstitution Team:

- Facilities
- IT
- Courtroom Operations
- Human Resources
- Representative of legal owner of the courthouse (e.g., This could be the State AOC)

The following Table 2-17A provides a basic checklist of action items the Reconstitution Team will implement to help bring the court back into normal operations.

**Table 2-17A: Reconstitution Team Responsibilities**

- Conduct an initial assessment on the status of court facilities.
- Implement procedures to direct court officials to assess the condition of the court facility to determine the extent of damage and options for repairing, rebuilding, replacing, or moving court facilities. In addition, court officials should determine if there are personnel issues to address (e.g., some staff no longer work for the court as a result of the disaster) and the condition of court records to determine whether restoration services are needed.
- Communication between senior leadership and building managers or repair crews.
- Recovery of resources from the damaged building (if safe to do so).
- Coordination of repairs and procurement of resources to re-occupy the damaged facility.
- Procurement of new permanent or semi-permanent facility.
- Creation of a return-to-work schedule to recover operations in the order of greatest need (often the essential functions will continue from the alternate location until the new permanent one has been tested and proved fully operational).
- Creation of a schedule to phase down operations at the alternate facility and return activities, staff, records, and equipment to the court's old, temporary, or new facility. The schedule should allow information and resources from the alternate facility to be transferred to the primary facility with minimum disruption to the performance of essential functions.
- Development of communication plan to relay information to staff. Once the plan has been developed, the information coordinator or other designated court official should inform all essential and nonessential staff, that the emergency is over, that a process has been developed to resume normal operations, what the general process entails, and that staff members will be informed of their specific duties as the plan is implemented. All parties also should be notified once essential functions at the alternate facility have been transferred successfully to the court's primary facility and the COOP plan implementation has been terminated
- Insert others*

[Link to Template](#) (Copy and paste the text from Table 2-17A above into the corresponding Table 2-17A in the Template and then edit/complete the language in the Template table as appropriate for your court. Use link to toggle back and forth between the tables in Section II of the Guide and the corresponding tables in the Template.)

The following Table 2-17B outlines how reconstitution logistics can be managed at the court.

Table 2-17B: Reconstitution Logistics	
Item to Consider	Explanation, Response, or Protocol
Who will comprise the Court's Reconstitution Team?	Facilities Director, HR Director, Court Operations Manager, IT Director, AOC Facilities Analyst
Who will oversee leading the Reconstitution Team?	Facilities Director
What facilities assessments are done for reconstitution?	Facilities Managers at local courthouses keep a damage assessment form and checklist. This checklist will be utilized to assess how much damage the courthouse has received and will report back to the Facilities Director. Facilities Director will provide a report to the CMT. Depending on the nature of the hazard, a different analysis may need to be completed. For example, if the threat is a cyberattack, the IT unit will be responsible for conducting a cyber assessment.
Who is responsible for developing communication to the various court stakeholders during the reconstitution process?	The Court Operations Manager will be responsible for sending out weekly communication to the various stakeholders in the reconstitution process. This will include our building tenants since many of them reside in our court.
What is the role of the State AOC during reconstitution?	All courthouses are owned and insured by the State AOC. The AOC will be a part of the reconstitution team and will ultimately be responsible for managing the construction contracts and overall project management to rehabilitate the courthouse. Ultimately, the AOC is responsible for repairs to the building and paying for these repairs. AOC will determine through their insurance company if a total demolition/renovation is needed or if repairs will suffice.
<i>Insert other questions to cover any additional procedures the court wishes to specify for this topic.</i>	

[Link to Template](#) (Fill out Table 2-17B in the COOP template with the appropriate information for your court. Use link to toggle back and forth between the tables in Section II of the Guide and the corresponding tables in the Template.)

## STEP 2-18: IDENTIFY THE COST RECOVERY PROCESS

Court COOP plans have not traditionally included a cost recovery section. However, the lessons learned from recent disasters have indicated that, at least for some courts, it is an important topic and should be addressed in either a supplemental annex or embedded within the court's COOP. The decision to include a cost recovery section may depend on first identifying what entity is responsible for cost recovery (e.g., the local court, State AOC, county executive branch, or state executive branch).

Cost recovery generally pertains to grant programs run through the federal government and state governments to assist government entities to make repairs to buildings and pay for some expenses incurred as a result of the disaster. For courts that may have a part in cost recovery processes following a disaster, it is critical to understand what programs are available, how the application processes work, and how to manage awarded grant funds. Typically for court organizations, the roles and responsibilities vary significantly by state depending on variables such as court organizational structure and facility ownership/responsibility. To determine if cost recovery should be included in the court's COOP plan, the COOP Planner should meet with the State AOC as well as state and/or local emergency management entities to understand cost recovery processes, roles and responsibilities for his or her court.

The largest cost recovery program in the nation is the [Public Assistance \(PA\)](#) grant program, administered by FEMA, which provides federal assistance to government organizations and certain private nonprofit organizations following a Presidential disaster declaration. Through the PA grant program, FEMA provides supplemental assistance for debris removal, life-saving emergency protective measures, and the repair, replacement, or restoration of publicly owned facilities that have been damaged in a natural disaster. The PA program also seeks to protect facilities from future damage by funding hazard mitigation measures during the

recovery process. It is important to note that FEMA follows federal procurement standards, and often courts will need to follow the FEMA guidelines if they are to seek reimbursement. More information about the FEMA PA and rules surrounding emergency procurement can be found on the FEMA website.

Cost Recovery, like Reconstitution, is a team project. Although there may be one person who will take the lead, often it takes a team to complete the extensive work often required to complete a PA application to obtain reimbursement. Suggestions of who should be on the court’s Cost Recovery Team include:

- Grants Manager
- Accounting
- Procurement
- Facilities

It is helpful to identify a person who will take the lead in cost recovery grant applications. This person will often require training to understand the application process, procurement rules, and state/local emergency management coordination issues. To help keep track of eligible costs, it is recommended courts set up a job code in advance to track not only supplies but personnel costs associated with a disaster.

The following Table 2-18 identifies who will be part of the Cost Recovery Team and provides direction on how the process will be implemented following a disaster.

Table 2-18: Cost Recovery Logistics	
Item to Consider	Explanation, Response, or Protocol
Who will comprise the court’s Cost Recovery Team?	Finance Analyst, Accounting Manager, Procurement Manager, Facilities Manager
Who will oversee and lead the Cost Recovery Team?	Finance Analyst
What job code (or other mechanism) will be used to track services, supplies, and personnel costs associated with the emergency?	Code #XXXX will be used to track personnel costs in the court’s online timekeeping system. Code #XXXX will be used to track any services and supplies made during a COOP incident.  The finance analyst will be responsible for sending court wide email informing everyone that the above job codes are to be used, parameters of their use, and when to discontinue use of the job codes.
Which entity is responsible for applying for FEMA Public Assistance (Court, AOC, County Emergency Management, etc.)?	Ultimately, our local court will be responsible for putting together the FEMA PA application. If there are damages to the facility, the State AOC will assist our court in the application, but the application process will be run out of our local court. County emergency management has requested that they be informed when we make a PA application.
What is the overall process by which the Court will track and submit costs during an emergency and ensure FEMA procurement rules are followed?	Cost Recovery Team will meet on a bimonthly basis during a crisis to assess costs related to the disaster and what may be eligible for PA reimbursement. An excel sheet will be created and maintained by the accounting unit that will track all expenses and what expenses will be submitted to FEMA/state for reimbursement.  The procurement manager will oversee how services/supplies are purchased to ensure we are following FEMA procurement rules. Reminders will be sent to Facilities staff and others who purchase items on behalf of the court with reminders on the rules of FEMA procurement standards.
How are the courthouses currently insured? Where are the insurance documents located?	The court is currently insured by the State AOC. AOC Facilities Analyst assigned to the court maintains the insurance documents. As a backup, the Facilities Director and Procurement Manager maintain copies of those insurance documents on USB devices.
<i>Insert other questions to cover any additional procedures the court wishes to specify for this topic.</i>	

[Link to Template](#) (Fill out Table 2-18 in the COOP template with the appropriate information for your court. Use link to toggle back and forth between the tables in Section II of the Guide and the corresponding tables in the Template.)

## STEP 2-19: DEVELOP AN AFTER-ACTION REVIEW PROCESS

No matter how prepared a court is for an emergency, there will always be lessons learned once a disaster strikes. Elements in the COOP plan which were initially thought to be sufficient may not work out either in an exercise or a real incident. Hence, it is important to document significant actions, decisions, and steps taken during an emergency to develop an after-action report.

FEMA recommends using the [Homeland Security Exercise and Evaluation Program](#) (HSEEP) to conduct after-action reviews and reports. The HSEEP process is a very detailed approach to critically assess the court's response to a crisis. Even if the court does not utilize the full HSEEP process, simply having a meeting where the CMT discusses what went well, what didn't go well, and action steps to help address deficiencies can serve to help capture this critical information. It is helpful to look beyond just the CMT to ensure lessons learned are gathered from all key stakeholders. This could include meetings or surveys with justice partners, line staff, and various judges to obtain a holistic picture of the response. To ensure the process is completed, the responsibility of developing an after-action report must be assigned to a specific individual. Whatever process a court uses, it is important to set aside time for this assessment once the crisis ends, and to document it in writing. Any lessons learned should also be incorporated into the COOP plan and other emergency plans.

The following Table 2-19 is an example of how after-action reporting can occur:

Table 2-19: After-Action Review	
Item to Consider	Explanation, Response, or Protocol
Who will be responsible for leading the after-action review?	COOP Coordinator
What methodology will be used to develop an AAR? (e.g., surveys, meetings, one on one interviews)	In-person meeting with the CMT, all staff/judge surveys, 1:1 meetings as needed with key stakeholders involved in the response.  County emergency management will be invited (if deemed appropriate) to help share lessons learned with our local emergency management partners.
How quickly will a written AAR be developed following the conclusion of an emergency incident?	No longer than 60 days following the conclusion of the emergency.
A written copy of the AAR will be distributed to the following stakeholders.	CMT
Each of the following areas will be evaluated during an AAR.	Communication – Internal/External Ability to continue essential functions Creative solutions Strengths Areas for improvement <i>Insert others</i>
A Correction Action Plan (CAP) will be developed to capture action items learned from the AAR. Who will be responsible for ensuring the items listed in the CAP are implemented?	COOP Coordinator
Where will completed after-action reports reside?	Internal document library on the court's emergency preparedness intranet site.
<i>Insert other questions to cover any additional procedures the court wishes to specify for this topic.</i>	

[Link to Template](#) (Fill out Table 2-19 in the COOP template with the appropriate information for your court. Use link to toggle back and forth between the tables in Section II of the Guide and the corresponding tables in the Template.)

## SECTION III: FURTHER COOP CONSIDERATIONS

### TRAINING AND EXERCISE PROGRAMS

Once a base COOP plan has been substantially completed as outlined in Section II, it is important for courts to consider additional steps to ensure the COOP plan remains a living and actionable document. Two primary activities that will foster this objective are the development of training and exercise programs, and the development of specific hazard annexes to supplement the COOP plan. These are detailed individually in the following steps and examples provided in Section III.

#### STEP 3-1: IDENTIFY A TRAINING AND EXERCISE PROGRAM

The information contained in the COOP plan will be of limited value if it is not accompanied and supported by a rigorous regimen of formal training, testing, and exercising. These activities should be identified, and programs should be set to a regular schedule.

Training is a valuable tool for helping principal stakeholders to understand their specific roles/responsibilities in the COOP plan. Conducting a series of orientation workshops/trainings to familiarize individuals with the plan is a good start. Developing a marketing campaign, strategy, or even a slogan can assist in getting the word out and building up the importance of the plan. Combining training sessions and exercises can be used as an adult learning strategy to more effectively teach COOP concepts (e.g., seminar, workshop, drill, tabletop, functional, or full-scale exercise).

Ideally, whoever serves as the COOP Coordinator or COOP Planner for the court will be the person to ensure training and exercises are taking place. This person will need the support of the Presiding or Chief Judge and Court Administrator to ensure all levels of the organization are involved in training and exercise activities.

It may be helpful to initially train the Crisis Management Team (CMT) members to ensure they are aware of the plan and their role within it. As a subsequent step, developing additional trainings for specific teams (e.g., Cost Recovery Team, Reconstitution Team) can be helpful so that the team members gain familiarity with each other and are aware of the specific preparation steps they can take prior to a disaster. Moving forward, the CMT and applicable stakeholders should be made aware of any updates as they are made to the COOP plan.

**Quick Reference Guides** - The sheer volume of information contained within many COOP plans can be overwhelming and it is important to identify the specific COOP topics that staff of different departments need to be trained on. The court may consider developing quick reference guides to assist court management in their COOP roles/responsibilities.

**Tabletop Exercises** - Conducting simulated tabletop exercises for your CMT is a no-cost method for teaching COOP plan protocols and procedures. It allows staff to internalize key COOP plan elements and serves as a tool for testing and assessing the COOP plan for ongoing refinement. In addition, exercises can facilitate the court's efforts to get plan buy-in from staff and other stakeholders.

**Additional Resources for Training and Exercises** - The court may want to explore reaching out to the local FEMA Regional Continuity Manager and/or local emergency management office for assistance in developing their training program. These entities can often provide training materials and technical resources, or can even help facilitate workshops and/or exercises. Typically, local emergency management offices conduct their own COOP exercises and may be open to inviting court participation in those exercises where feasible and beneficial. Exercises can require a significant amount of work to plan and conduct; therefore, reaching out to partners like

FEMA and the local emergency management office for assistance can be helpful. In addition, FEMA provides a variety of exercise support resources through its [National Exercise Division](#), offers a series of [Virtual Tabletop Exercises](#) through its Emergency Management Institute, and offers a [Sample Tabletop Exercise](#) on its website. FEMA training and exercise support resources are provided at no cost to the court.

The following Table 3-1 is an example of how to formalize a training and exercise program:

Table 3-1: COOP Training and Exercise Program Identification Worksheet			
Type of Training	Recipients	Method(s)	Frequency
COOP Orientation	All managers/judges	In-person training program	Upon initial hire
	New managers/judges	Online refresher	Annually
	Justice partner stakeholders	In-person training program	Annually
COOP Refresher	CMT	In-person training	Bi – Annually
	Reconstitution Team	In-person training	Annually
	Cost Recovery Team	In-person training	Annually
Updates to FEMA Cost Recovery Process	Cost Recovery Team	In-person training	When FEMA processes change
<i>Insert others</i>			
Exercises			
Type of Exercise	Recipients	Method(s)	Frequency
Drill	All judges/staff	Fire Drill	Annually
Tabletop	CMT	In-person tabletop	Annually
Functional	Emergency Management	Collaborate with local EOC	Annually
Full Scale	CMT	Alternate Facilities Exercise	Every two years
<i>Insert others</i>			

[Link to Template](#) (Fill out Table 3-1 in the COOP template with the appropriate information for your court. Use link to toggle back and forth between the tables in Section II of the Guide and the corresponding tables in the Template.)

## DEVELOPING ANNEXES

### STEP 3-2: CONDUCT A HAZARD ANALYSIS TO IDENTIFY NEEDED ANNEXES

As mentioned previously in this Guide, the COOP plan forms the foundation for determining how the court will respond to a disaster or emergency and continue its essential functions. A court's Emergency Operations Plan/Occupant Emergency Plan is established to determine the policies and procedures dictating the response to short-term emergencies (e.g., fire alarm activation, bomb threat, medical emergency, or brief power outage). These two documents form the bedrock of its emergency management program. Looking beyond these two foundational plans, it is helpful for the court to evaluate if there are specific hazards that the court faces that present an elevated threat and that should be addressed through an Annex to the court's COOP plan. The core elements in the COOP plan (e.g., essential functions, communication, CMT, etc.) should remain applicable regardless of the hazard, but some disasters may require additional planning efforts and response.

Some of the potential hazards that all courts across the nation face include acts of terrorism, cyberattack, ransomware, extended civil unrest, and extended power loss, to name a few. However, based on geographic location, a court may also face unique threats such as earthquakes, tornadoes, wildfires, flooding, and/or hurricanes. These hazards each present unique emergency planning and response considerations. For example, in an earthquake scenario, it is important to identify the person(s) who have the responsibility to determine a building is safe for entry after the shaking subsides. In a hurricane scenario, it is important to identify the person(s) who have the responsibility to determine which phase of the storm would be considered a trigger for closing the courts. For a cyberattack scenario, it is important to identify the person(s) who have the responsibility to determine what protocols are in place in the event the court's public webpage gets hacked?

Conducting a hazard analysis, like the example shown below, can help the court prioritize the development of COOP plan annexes. To complete this basic analysis, a planner would input all the types of hazards that could impact the court (human or natural caused). Once listed, the hazards are assessed according to their probability and severity. They are then ranked according to their total risk. Hazards with the highest risks are the ones the court should consider developing annexes for. Table 3-2 below illustrates a sample hazard analysis.

Scoring Factor	Hazard					
	Cyberattack	Earthquake	Flooding	Pandemic	Power Loss	<i>Insert others</i>
Probability (1-5) One means low probability of occurrence and five meaning a high probability of occurrence.	4	2	3	5	4	
Severity (1-5) One means low impact to court functions and five meaning a critical impact to court operations.	4	5	2	4	2	
Total Risk (P x S) Multiply probability by severity to attain total risk score.	16	10	6	20	10	

[Link to Template](#) (Fill out Table 3-2 in the COOP template with the appropriate information for your court. Use link to toggle back and forth between the tables in Section II of the Guide and the corresponding tables in the Template.)

Below are additional resources for courts considering implementation of a more detailed hazard analysis:

- [FEMA risk/hazard assessment guide](#)
- [California Hospital Foundation hazard vulnerability analysis](#)

### STEP 3-3: DEVELOP COOP ANNEXES

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COOP annexes, in effect, are supplemental COOP plans that address the unique planning and response considerations for a given hazard. Developing annexes should be the responsibility of the COOP Planner or emergency management lead. Similar to the process of developing the base COOP plan, the process may necessitate convening a representative planning team to provide input into the development of the annex as the roles and responsibilities assigned to the CMT, department heads, and court staff may vary considerably based on the hazard type. Planners would be wise to remember that COOP plans and annexes should never be written in a silo, but rather should be developed through a cross-functional, collaborative process.

Annexes will vary considerably based on the hazard type. The sample annex provided in the following pages is specific to the COVID-19 pandemic and includes possible language that a court could consider for use in its own pandemic annex where applicable. It should be noted that annexes for different non-pandemic events may contain different components as dictated by the hazard type.

# SAMPLE PANDEMIC ANNEX FOR A NOVEL VIRUS

## PANDEMIC ANNEX PART A: READINESS AND PREPAREDNESS

**Table 3-3A: Purpose of Pandemic Annex**

A pandemic is unlike other types of public health emergencies because it has the potential to rapidly cause illness in large numbers of people worldwide with continued transmission for months. It will not directly affect the physical infrastructure of the organization. The ease with which a virus strain transmits from person-to-person, the susceptibility of the population to it, and the severity of illness resulting from it are all factors that determine the court's level of response. Protecting the health and safety of court judges/staff must be the focus of planning in order to ensure the continuity of court essential functions.

This COOP annex contains guidance intended to assist the court in maintaining essential functions in the event of a pandemic. The guidance is specific to pandemic events and supplemental to the court's base COOP plan. The core elements included in the base plan (e.g., essential functions, communication, CMT, etc.) remain applicable.

[Link to Template](#) (Copy and paste the text from Table 3-3A above into the corresponding Table 3-3A in the Template and then edit/complete the language in the Template table as appropriate for your court. Use link to toggle back and forth between the tables in Section II of the Guide and the corresponding tables in the Template.)

**Table 3-3B: Continuity Objectives for Pandemic Events**

The overarching objectives in a pandemic include:

- Ensure the health and safety of judges/staff
- Ensure the continuous performance of essential functions and operations.
- Communicate pandemic preparedness, response and recovery guidance to judges/staff.
- Maintain an open and ongoing dialogue with justice partners (e.g. Prosecutor Office, Public Defender, Probation, Social Services, etc.) to ensure the continuity of critical justice system functions for the local community.
- Achieve a timely and orderly recovery from a pandemic event and resumption of full service to the public.

[Link to Template](#) (Copy and paste the text from Table 3-3B above into the corresponding Table 3-3B in the Template and then edit/complete the language in the Template table as appropriate for your court. Use link to toggle back and forth between the tables in Section II of the Guide and the corresponding tables in the Template.)

**Table 3-3C: COOP Planning Assumptions for Pandemic Events**

The following are typical assumptions the court may face in a pandemic incident caused by a novel virus.

- The epidemiological characteristics of a novel virus may differ from those of seasonal influenza or other viruses.
- Transmission is likely to be primarily by droplet spread; there may also be contact and possible airborne transmission. Therefore, especially early in the pandemic before the characteristics of the virus are well established, infection control recommendations may include standard, airborne and contact precautions, including eye protection.
- The epidemiologic profile (i.e. virulence, principal mode of transmission, timing and duration of viral shedding, and attack rate in different risk groups) of the pandemic may change during each pandemic phase and wave, and recommendations regarding specific measures may need to be adapted over the course of the pandemic.
- The effectiveness of non-pharmaceutical containment measures is unknown and depends on timing of implementation, compliance among the targeted populations and characteristics of the novel virus.
- Some community containment measures may need to be in place for as long as 12 weeks, possibly even longer.
- Rates of absenteeism will depend on the severity of the pandemic. In a severe pandemic, absenteeism attributable to illness, the need to care for ill family members and fear of infection may reach 40% during the peak weeks of a community outbreak, with lower rates of absenteeism during the weeks before and after the peak. Certain public health measures (closing schools, quarantining household contacts of infected individuals) are likely to increase rates of absenteeism.
- Multiple waves (periods during which community outbreaks occur across the country) of illness are likely to occur with each wave lasting two to three months. Historically, the largest waves have occurred in the fall and winter, but the seasonality of a pandemic cannot be predicted with certainty.
- The court will follow applicable public health orders and safety guidance as part of its duty to maintain a safe working environment for public and staff. As a result, the court may need to enact or modify safety rules for all building occupants to mitigate virus exposure.

[Link to Template](#) (Copy and paste the text from Table 3-3C above into the corresponding Table 3-3C in the Template and then edit/complete the language in the Template table as appropriate for your court. Use link to toggle back and forth between the tables in Section II of the Guide and the corresponding tables in the Template.)

### Table 3-3D: Readiness and Preparedness of Operations for Pandemic Events

The following are action steps designed to assist the court in a pandemic incident. These action steps are meant to supplement the existing protocols and actions developed in the Court's COOP plan due to the unique pandemic hazard.

#### Readiness and Preparedness

- Ensure telework policy is updated and those authorized to telework have tested equipment at home.
- Procure additional IT equipment (laptops, computers, peripherals, video cameras etc.) to support increased telework.
- Provide refresher training for staff/judges on videoconferencing technology.
- Review cybersecurity protocols for potential influx of telework judges/staff.
- Ensure guidelines and standards for virtual courtrooms are updated.
- Ensure appropriate amount of telework licenses to support essential functions.
- Ensure staff/judges contact information is up to date in mass notification system.
- Coordinate with local public health agencies on isolation/quarantine orders. Determine if public health will need to work with court to require isolation/quarantine orders depending on how wide transmission has spread within the community.
- Develop exposure response protocol for when court staff/judge tests positive for virus and how internal contact tracing will occur.
- Set up a dedicated webpage on the public website which will feature the court's pandemic response efforts.

[Link to Template](#) (Copy and paste the text from Table 3-3D above into the corresponding Table 3-3D in the Template and then edit/complete the language in the Template table as appropriate for your court. Use link to toggle back and forth between the tables in Section II of the Guide and the corresponding tables in the Template.)

## PANDEMIC ANNEX PART B: ACTIVATION

### Table 3-3E: Activation of COOP for Pandemic Events

The following are action steps designed to assist the court in a pandemic incident. These action steps are meant to supplement the existing protocols and actions developed in the Court's COOP plan due to the unique pandemic hazard.

#### Activation

- Activation of this annex and court COOP plan will result when local, state or federal officials declare a public health emergency.
- Activate the court's Crisis Management Team.
- Activate the Court's Emergency Operations Center using virtual meeting options.
- Establish contact with appropriate local health officials to provide guidance and advice to the CMT.
- Communicate to judges/staff on who will be required to report to the courthouse and who will be working remotely.
- Meet with justice partners to discuss what court hearings will continue.
- Obtain an emergency order from the court of last resort.
- Communicate to public/jurors what court operations are available and what operations are postponed.

[Link to Template](#) (Copy and paste the text from Table 3-3E above into the corresponding Table 3-3E in the Template and then edit/complete the language in the Template table as appropriate for your court. Use link to toggle back and forth between the tables in Section II of the Guide and the corresponding tables in the Template.)

**PANDEMIC ANNEX PART C: ONGOING COOP OPERATIONS**

**Table 3-3F: Ongoing Operational Response During Pandemic Events**

The following are action steps designed to assist the court in a pandemic incident. These action steps are meant to supplement the existing protocols and actions developed in the Court's COOP plan due to the unique pandemic hazard.

**Ongoing Response**

- Identify methods to limit the number of personnel entering the courthouse. Consider implementing virtual triage desks outside the courthouse to regulate who can enter and where to redirect public.
- Update public website to reflect changes in court operations.
- Maintain ongoing communications with local health department officials regarding public health guidelines and recommendations as they can change quickly.
- As pandemic response will be ongoing, management should conduct regular check in with staff/supervisors to gauge morale and areas of concern.
- Court Crisis Management Team will meet monthly to provide departmental updates on response and address any outstanding issues/concerns.

**Ongoing Department Specific Responsibilities in a Pandemic**

Operations	<ul style="list-style-type: none"> <li><input type="checkbox"/> Implement live stream hearings where feasible to limit persons entering inside the courthouse.</li> <li><input type="checkbox"/> Court should establish criteria that will provide clear guidance on when an in-person hearing will be held. Virtual hearings will be utilized whenever possible.</li> <li><input type="checkbox"/> Set recurring meetings with justice partners and local bar associations on the status of court operations.</li> <li><input type="checkbox"/> Coordinate with sheriff's office to determine how in-custody hearings can appear virtually from the jail and how in-custody transportation will function in the pandemic.</li> <li><input type="checkbox"/> Coordinate with IT to implement solutions to provide court services to the public through virtual modalities.</li> </ul>
General Counsel	<ul style="list-style-type: none"> <li><input type="checkbox"/> Seek updated pandemic related emergency orders from the court of last resort.</li> </ul>
Human Resources	<ul style="list-style-type: none"> <li><input type="checkbox"/> Assist all court departments in implementing flexible/staggered work and telework schedules to reduce the number of people in courthouse at any single time.</li> <li><input type="checkbox"/> Develop sick/leave policies as needed. Implement policies on how to respond to ill employees who may have been infected by the virus.</li> <li><input type="checkbox"/> Assess if onsite virus testing can be provided to judges/staff.</li> </ul>
IT	<ul style="list-style-type: none"> <li><input type="checkbox"/> Maximize video conferencing options for all active courtrooms.</li> <li><input type="checkbox"/> Expand bandwidth to allow for telework surge.</li> <li><input type="checkbox"/> Provide technical support to all judges/staff working remotely.</li> <li><input type="checkbox"/> Maintain heightened cybersecurity posture as more judges/staff are working remotely.</li> </ul>
Facilities	<ul style="list-style-type: none"> <li><input type="checkbox"/> Maintain pandemic related signage at all courthouse entrances.</li> <li><input type="checkbox"/> Social distancing markers should be placed in all public and secure areas.</li> <li><input type="checkbox"/> Deploy hand sanitizing stations throughout all high traffic areas.</li> </ul>

[Link to Template](#) (Copy and paste the text from Table 3-3F above into the corresponding Table 3-3F in the Template and then edit/complete the language in the Template table as appropriate for your court. Use link to toggle back and forth between the tables in Section II of the Guide and the corresponding tables in the Template.)

### Table 3-3G: Safety Measures to be Provided During a Pandemic

The following are safety measures to protect judges/staff and ensure safe courthouses during a pandemic.

#### Facilities

- Provide social distancing spacing/markers throughout courthouse as recommended by public health officials.
- Ensure pandemic related signage is easy to understand, utilizes a mix of pictures/words, and is accessible in multiple languages.
- Provide plexiglass or other barriers for judges/staff in conjunction with social distancing.
- Assess HVAC airflow and prioritize intake of outside air versus recycling interior air.
- Install hand sanitizing stations through high trafficked areas.
- Increase cleaning throughout the courthouse. Verify all cleaning products are registered with the EPA and known to kill the virus.

#### Safety Protocols

- Consider if face covering policy is needed for occupants working inside the court and anyone visiting the court.
- Consider rules on who can be excluded from the courthouse if ill or exposed to the virus.
- Consider limiting all in-person meetings and other gatherings.
- Interpreters should leverage headsets or other forms of wireless equipment as much as possible to limit close interactions with the public.

#### Personal Protective Equipment

- Obtain contract with external vendor to implement temperature or symptomology screening for all those entering the courthouse.
- Procure reusable face coverings for staff/judges reporting onsite.
- Procure disposable face coverings for public entering the courthouse.
- Procure disposable gloves as needed.
- Procure additional headsets or wireless equipment for interpreters as needed.

[Link to Template](#) (Copy and paste the text from Table 3-3G above into the corresponding Table 3-3G in the Template and then edit/complete the language in the Template table as appropriate for your court. Use link to toggle back and forth between the tables in Section II of the Guide and the corresponding tables in the Template.)

## PANDEMIC ANNEX PART D: RECONSTITUTION TO NORMAL OPERATIONS

### Table 3-3H: Reconstitution of Operations in a Pandemic

The following are action steps designed to assist the court in a pandemic incident. These action steps are meant to supplement the existing protocols and actions developed in the Court's COOP plan due to the unique pandemic hazard.

#### Reconstitution Back to Normal Operations

- Develop communication plan on how services will be fully restored back to normal operations.
- Coordinate with local health department on when court staff/judges can receive vaccination or prophylaxis.
- Develop strategy to resolve backlog in applicable case types.
- Communicate what the court is doing to resume jury trials, the safety measures the court has implemented, and what potential jurors need to know.
- Prepare courtrooms and jury deliberation rooms to safely accommodate jurors.

[Link to Template](#) (Copy and paste the text from Table 3-3H above into the corresponding Table 3-3H in the Template and then edit/complete the language in the Template table as appropriate for your court. Use link to toggle back and forth between the tables in Section II of the Guide and the corresponding tables in the Template.)

## ADDITIONAL RESOURCES

### *[National Center for State Courts \(NCSC\)](#)*

- [Emergency Planning and Security](#)

### *[Federal Emergency Management Agency \(FEMA\)](#)*

- [Exercises](#)
- [Emergency Management Institute](#)
- [National Continuity Programs](#)
- [Continuity Resources and Technical Assistance](#)
- [Continuity Resource Toolkit](#)
- [COOP Training](#)
- [Ready Business](#)

### *Communication Resources*

- [Government Emergency Telecommunications Service](#)
- [Wireless Priority Service](#)
- [Telecommunications Service Priority](#)
- [FirstNet](#)

## APPENDIX: COOP TEMPLATE

### ***Continuity of Operations (COOP) Plan***

*[Insert Name of Court]*

*[Insert Effective Date]*

*[Insert Court Seal or other Graphic]*

# COOP TEMPLATE - PART A: READINESS AND PREPAREDNESS

## PURPOSE

**Table 2-1: Purpose of the Court's COOP Plan**

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## APPLICABILITY AND SCOPE

**Table 2-2: Applicability and Scope**

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## DISTRIBUTION AND MAINTENANCE OF PLAN

**Table 2-3A: Revision Control**

Date	Summary of changes	By Whom

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**Table 2-3B: Plan Maintenance**

Where will physical copies of the COOP be located?	
Where will virtual copies of the COOP be located?	
Intended audience for this plan.	
Person responsible for maintaining the overall COOP.	
How often will this plan be maintained?	
Protocol for ensuring updates/revisions to this COOP are made for both physical and virtual versions.	
<i>Insert others</i>	

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## CRISIS MANAGEMENT TEAM (CMT)

The CMT will consist of those in an overarching policy/executive body which governs and directs policy related to crisis response for all courthouses within a court system. Similarly, there is a designation of those who have crisis management functions at a local courthouse level (e.g., Courthouse Unified Command Team)

- Policy Group – Policy Group serves as a decision-making authority helping direct the priorities in an incident. This group decides major policy decisions such as closing a courthouse, decides when to send court staff home, determines court wide communication message, provides the courts statement to the press, etc.
- Local Court Unified Command Team – A Unified Command Team will help direct incident response at their specific courthouse. They help provide quick emergency actions that take place at a single courthouse location.

Table 2-4: Crisis Management Team (CMT)	
CMT	Members of the Team
COOP Coordinator	
Backup COOP Coordinator	
Policy Group	
Courthouse Unified Command Team – insert courthouse	
Courthouse Unified Command Team – insert courthouse	
Insert others	

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## COURT EMERGENCY OPERATIONS CENTER (EOC) AND MEETING LOCATIONS

Table 2-5: Meeting Locations		
Physical Meeting Options		
Courthouse	Inside Meeting Area	Outside Meeting Area
Virtual Meeting Options		
Virtual Modality	Protocols to Access	Any Restrictions

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## COURT ESSENTIAL FUNCTIONS

Table 2-6 contains a listing of the court’s most time-critical and essential functions that cannot be left undone for 30 days without risking failure of mission, failure meeting of statutory/mandatory obligations, or loss of trust, respect, and funding. Each table represents a court essential function. Table 2-7 contains a Business Impact Analysis (BIA) and can be included as an attachment to the COOP plan.

Table 2-6: Essential Functions (EFs) - Business Impact Analysis Worksheet (Complete separate Table for each court department and include as Attachment to COOP Plan)			
Department: (Insert Department)			
Critical Activity/Essential Function (EF)	Priority	Impact if EF is not completed	Return Time Objective
(Add additional rows as needed)			

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Table 2-7: Essential Functions (EFs) - Business Process Analysis				
Essential Function	Recovery Time Objective	Department/Person Responsible	Key Staff	
(Essential Function #1)	Resources Needed			
	Work Location & Space Requirements			
	Supporting Activities			
	Internal Dependencies/Essential Records			
	External Dependencies/Essential Records			
	Manual Workarounds			
	Related Regulation			
	Can an Emergency Order provide relief?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Notes:
	Can EF be done via telework?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Notes:

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## TECHNOLOGY CONSIDERATIONS – ESSENTIAL RECORDS, COURT APPLICATIONS, NETWORK

Table 2-8A: Technology Priorities				
IT Application/Vital Record	Return Time Objective (RTO)	Recovery Point Objective (RPO)	Unit Responsible/Point of Contact	Notes

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Table 2-8B: Telework Logistics	
Item to Consider	Explanation, Response, or Protocol
How many telework (VPN) licenses does the court maintain?	
Does the court have a current policy on how telework will be used in a crisis?	
What IT cybersecurity protocols need to be in place to implement emergency telework?	
What will be the plan to surge telework options (e.g., purchase new laptops, reuse existing computers)?	
What changes need to be made to the court network or infrastructure to support expanded telework?	
How will telework capabilities be tested prior to an emergency?	
How will telework equipment be deployed to judges/staff?	
How is bandwidth addressed for critical applications to be used offsite or at an alternate facility?	
Are there any court applications, software, or programs that can't be accessed offsite?	
What type of ergonomic protocols need to be in place for telework to prevent injuries?	
How will employee privacy be maintained during telework?	

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## ORDERS OF SUCCESSION AND DELEGATIONS OF AUTHORITY

Table 2-9: Orders of Succession and Delegations of Authority				
Key Position	Successor	Delegated Authority	Activation/Termination of Delegated Authority(s)	Resources Needed
<i>Insert key position</i>	<i>Successor 1</i>			
	<i>Successor 2</i>			
	<i>Successor 3</i>			
<i>(Include as many additional rows as necessary)</i>				

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## ALTERNATE FACILITIES AND GO KITS

In the event a courthouse is non-operational, there will be a need to ensure the continuation of the court's essential functions offsite. Table 2-10A provides guidance and a checklist to help the court identify potential alternate facility sites and can be included as an attachment to the court's COOP plan. Sites should be evaluated before an emergency and potential sites are listed on a chart on the following page.

**Table 2-10A: Alternate Facility Evaluation Checklist**

Alternate Facility Criteria	Comments
<b>Physical Layout</b>	
Where is the facility located?	
How much floor space does the facility have?	
Can the rooms be partitioned? Is the available floor space contiguous or on different floors/in different wings?	
How many staff workstations can the facility accommodate?	
How many courtrooms can the facility accommodate?	
Does the facility have electricity, backup generator, and available power outlets?	
Does the facility have desks, chairs, and other furniture needed for setup?	
Are any private offices available? Any rooms that could be used as judicial chambers?	
Are there break rooms available for staff?	
Are restrooms available for the public, staff, and judges?	
Is there available parking for staff and the public?	
How easy is it for the public to find the building? Is the building ADA accessible?	
Is the site best suited for courtrooms, case processing, office work, public counter services, etc.?	
What type of agreement (e.g., financial contract, memorandum of understanding/agreement, statutory change to allow the court to sit in another jurisdiction) is necessary to secure the facility for the court's use?	
<b>IT Functionality</b>	
Is the facility equipped for internet or wireless internet connectivity? Is the signal strength strong enough to support the needed IT applications?	
If using mobile hotspots, what is their signal strength? Is the signal strength strong enough to support the needed IT applications?	
What critical IT applications need to be accessed from the facility?	
What type of phone lines are available?	
<b>Security Considerations</b>	
Are there secure areas to lock sensitive or confidential items after hours?	
Is there a secure parking area and entry for judges?	
Are there any security vulnerabilities? (e.g., multiple entrances, no escape for judge/staff)	
If inmates are to be transported to the facility for hearings, what type of secure access will there be to get them in/out of the facility?	
How much security personnel will the facility require?	
Is there a location for a weapons screening station to be set up?	

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**Table 2-10B: Alternate Facility Locations**

<u>Alternate Facility #1</u> Facility name: Address: Point of Contact:	
Expected Use (courtroom, offices, jury assembly, etc.)	
Available Utilities	
Furniture/Equipment Needed	
Wi-Fi/Network Options	
Floor space (sq./ft)	
Parking Availability	
Accessibility Concerns	
Vulnerabilities	
Agreement	
Staffing Considerations	
List potential anticipated number of judges and staff reporting to the alternate facility	
Who is responsible for judges/staff reporting to the alternate facility?	
Who provides orientation on the following topics? (break room, restrooms, parking, security, safety, emergency evacuation, supplies, card/key access)	
Who provides notification to the following entities about the alternate facility?	
Staff	
Parties/Litigants	
Justice Partners	
Public	
<u>Alternate Facility #2</u> Facility name: Address: Point of Contact:	
(Add additional facilities as appropriate)	

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### Go-Kits

When implementing an alternate facility, a court will most likely need to transport necessary supplies to ensure the continuation of that essential function. Court departments should develop Go Kits to ensure the continuation of their specific essential functions. Table 2-10D includes a sample checklist/form to help court departments in organizing their go-kit.

Table 2-10C: Go Kit Checklist (To be Included as an Attachment to COOP Plan)			
Go Kit (Department/Unit)			
Go Kit Location			
Last Checked			
Item	Pre-Staged	To Be Recovered	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
(Insert items as appropriate)	<input type="checkbox"/>	<input type="checkbox"/>	

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### EMERGENCY COMMUNICATIONS

Communication is a critical element to ensure a court can successfully continue its essential functions. The following table identifies the available communication modalities, situational awareness, and stakeholder communications.

Table 2-11A: Communication Modalities				
Communication System	Where is system located?	Who has access?	Unit responsible?	Who can receive communications?
Voice Lines				
Email				
Mobile Phones				
Mass Communication				
Two-Way Radios				
Emergency Phone Message Number				
Cloud based information site				
Videoconference Platforms				
Satellite Phones				
Social Media				
GETS/WPS				
FirstNet Devices				
Fax Lines				
Building PA systems				
<i>Insert others</i>				
<i>Insert others</i>				

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**Table 2-11B: Communication Strategies**

<b>Situational Awareness</b>			
How will the court maintain a Common Operating Picture (COP), so management and judicial leadership understand the situation and what the operational plan is?			
How will the court provide updates to judges/staff who may not be onsite or have access to their court email?			
How will the court communicate operational status to the local/county emergency operations center?			
Does the court have a seat at the local/county EOC?			
<i>Insert additional rows as needed</i>			
<b>Stakeholder Communications</b>			
<b>Stakeholder</b>	<b>Primary Communicator</b>	<b>Frequency of Communications</b>	<b>Communication Modality</b>
Staff			
Judges			
Justice Partner/Building Tenants			
Jurors			
Litigants/Witnesses/Parties			
Media			
Employee Unions			
Public			
Local/County EOC			
Sheriff's Office			
Local Bar Associations/Legal Service Associations			
State AOC			
<i>Insert others</i>			
<i>Insert others</i>			
<b>Last Resort Plan</b>			
In the event that all primary forms of communication are not operable, how will communication and coordination occur?			

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## HUMAN RESOURCES CONSIDERATIONS

Table 2-12A: Workforce Contact Lists	
Item to Consider	Guidance Available
Who is responsible for collecting contact information?	
Where are rosters with all staff/judge contact information maintained?	
How often is contact information Audited?	
Procedure for handling staff/judge injuries, death, notification of next of kin, or other designated contacts.	
<i>Insert others</i>	

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Table 2-12B: Employee Welfare and Staffing Strategies	
Item to Consider	Guidance Available
<b>Employee Welfare</b>	
What services are available to help employee welfare during a crisis?	
How will disaster fatigue be addressed?	
<i>Insert others</i>	
<b>Staffing Strategies</b>	
Procedure for hiring additional staff on an interim basis (e.g., temp agencies, retirees, etc.)	
Procedure for on how to obtain additional judges if there is a shortage of judicial officers available.	
<i>Insert others</i>	

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Table 2-12C: HR Policies and Guidance		
Personnel Areas	Specific Personnel Issue	Guidance Available
Work schedules and compensation	Payment of nonessential staff	
	Role of nonessential staff	
	Overtime for essential functions staff	
	Payroll administration when normal processes unavailable	
	<i>Include additional issues here</i>	
Flexible work hours	Modification of work hours	
	<i>Include additional rows as needed</i>	
Leave	Emergency leave	
	<i>Include additional rows as needed</i>	
Obtaining additional staff	Emergency staffing	
	<i>Include additional rows as needed</i>	
Logistical support	Emergency housing	
	<i>Include additional rows as needed</i>	
Discipline	Employee Discipline	
	<i>Include additional rows as needed</i>	
Education and training	Preparedness Training	
	<i>Include additional rows as needed</i>	
Telework	Telecommuting	
	<i>Include additional rows as needed</i>	
Other		
	<i>Include additional rows as needed</i>	

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## RESOURCE MANAGEMENT

Table 2-13: Resource Management Strategy	
Item to Consider	Explanation, Response, or Protocol
How will emergency purchases be made? Who will take the lead in procuring and managing supplies in an emergency?	
Which positions have access to court credit cards that can be used in an emergency? What is their limit?	
What is the protocol for requesting resources from the local/county emergency operations center? What resources are they able to provide in an emergency?	
What is the protocol for requesting resources from the State AOC? What resources are they able to provide in an emergency?	
Where is the list of critical vendors and contact information maintained? Who maintains it?	
Have all courthouses been designated with priority utility service and for priority restoration after a disaster? Where are the emergency contacts for each utility stored?	
What is the protocol to ensure courthouse generators (if applicable) are maintained and refueled during an emergency?	
How long does each courthouse generator run, and what will it power?	
What mutual aid agreements are in place with other court systems to provide aid in an emergency? What resources can be provided or shared?	
Where are court emergency supplies stored and maintained? (e.g., food, water, first aid, flashlights, dust masks, USB chargers, laptop power banks, etc.)? Include any hazard-specific emergency supplies.	
<i>Insert other questions to cover any additional procedures the court wishes to specify for this topic.</i>	

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## DEVOLUTION

The court's devolution plan describes what to do if a catastrophic event renders the court's leadership and essential functions staff incapacitated and the court and alternate facilities nonfunctional. During devolution, the court transfers authority and responsibility for essential functions to officials in another court.

**Table 2-14: Devolution Plan**

Provide contact information for the alternate court(s) available to perform essential functions (Add as many rows as necessary)		
Court	Contact Information	Is there a written agreement with the alternate court(s)?
		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No
List the officials and their successors (by position) allowed to transfer authority to perform essential functions (Add as many rows as necessary)		
Succession	Title	
Primary Official		
Successor		
Successor		
Provide plan for transferring essential records and other materials necessary for performing essential functions to alternate court(s). For example, will essential records and materials be stored and updated on the same schedule as those stored with alternate facilities?		
List procedures for notifying the alternate court of devolution.		
<input type="checkbox"/>		
<input type="checkbox"/> <i>Insert items as appropriate</i>		
List procedures for returning authority once court is reconstituted.		
<input type="checkbox"/>		
<input type="checkbox"/> <i>Insert items as appropriate</i>		
Are there any essential functions that are unable to be transferred to another court system due to law, regulation, or statute?		
<input type="checkbox"/>		
<input type="checkbox"/> <i>Insert items as appropriate</i>		

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# COOP TEMPLATE - PART B: ACTIVATING COOP IN A DISASTER

## COOP ACTIVATION

The following are considerations to aid the court in determining if it will activate the COOP. Not every emergency requires activation of the COOP. Some emergencies may require a short-term evacuation of the court facility followed by the resumption of normal operations. COOP response should be flexible and scalable based on the emergency incident.

Table 2-15A: COOP Activation Considerations	
General Considerations For When to Activate the COOP	
<input type="checkbox"/>	
<input type="checkbox"/>	<i>Insert items as appropriate</i>
Questions to Assess COOP Activation Trigger Points	
<input type="checkbox"/>	
<input type="checkbox"/>	<i>Insert items as appropriate</i>
Note: * indicates events occurring after work hours; ** indicates events occurring without warning	

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Table 2-15B: COOP Activation Checklist	
Initial Status Briefing, Assessment, and COOP Activation	
<input type="checkbox"/>	
<input type="checkbox"/>	<i>Insert items as appropriate</i>
Crisis Management Team Activation	
<input type="checkbox"/>	
<input type="checkbox"/>	<i>Insert items as appropriate</i>
Department Managers Activation	
<input type="checkbox"/>	
<input type="checkbox"/>	<i>Insert items as appropriate</i>
Other Key Stakeholders Activation	
<input type="checkbox"/>	
<input type="checkbox"/>	<i>Insert items as appropriate</i>

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# COOP TEMPLATE - PART C: ONGOING COOP OPERATIONS DURING EMERGENCIES

## KEY ROLES/RESPONSIBILITIES OF COURT DEPARTMENTS DURING A CONTINUITY EVENT

Table 2-16: Key roles/responsibilities during a continuity event	
COOP Coordinator/Emergency Management	
<input type="checkbox"/>	<i>Insert items as appropriate</i>
Court Operations	
<input type="checkbox"/>	<i>Insert items as appropriate</i>
Finance	
<input type="checkbox"/>	<i>Insert items as appropriate</i>
IT	
<input type="checkbox"/>	<i>Insert items as appropriate</i>
Human Resources	
<input type="checkbox"/>	<i>Insert items as appropriate</i>
General/Legal Counsel	
<input type="checkbox"/>	<i>Insert items as appropriate</i>
Facilities	
<input type="checkbox"/>	<i>Insert items as appropriate</i>
Public Information Officer	
<input type="checkbox"/>	<i>Insert items as appropriate</i>
Insert other departments as necessary	
<input type="checkbox"/>	<i>Insert items as appropriate</i>

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# COOP TEMPLATE - PART D: RECONSTITUTION AND COST RECOVERY

## RECONSTITUTION

Reconstitution includes procedures to terminate alternate operations and resume normal operations. The reconstitution information in the table below provides a plan to return to normal operations once the CMT determines the disaster no longer poses a threat. Reconstitution is not a single point in time event but rather a planning process that involves consideration of how to restore operations at the courthouse.

**Table 2-17A: Reconstitution Team Responsibilities**

<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Insert items as appropriate
--

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**Table 2-17B: Reconstitution Logistics**

Item to Consider	Explanation, Response, or Protocol
Who will comprise the Court's Reconstitution Team?	
Who will oversee leading the Reconstitution Team?	
What initial assessment is done for reconstitution?	
Who is responsible for developing communication to the various court stakeholders during the reconstitution process?	
What is the role of the State AOC during reconstitution?	
<i>Insert other questions to cover any additional procedures the court wishes to specify for this topic.</i>	

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## COST RECOVERY

**Table 2-18: Cost Recovery Logistics**

Item to Consider	Explanation, Response, or Protocol
Who will comprise the court's Cost Recovery Team?	
Who will oversee leading the Cost Recovery Team?	
What job code (or other mechanism) will be used to track services, supplies, and personnel costs associated with the emergency?	
Which entity is responsible for applying for FEMA Public Assistance (Court, AOC, County Emergency Management, etc.)?	
What is the overall process by which the Court will track and submit costs during an emergency and ensure FEMA procurement rules are followed?	
How are the courthouses currently insured? Where are the insurance documents located?	
<i>Insert other questions to cover any additional procedures the court wishes to specify for this topic.</i>	

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## AFTER-ACTION REVIEWS

At the conclusion of every COOP activation, an after-action report with a corrective action plan will be completed. This AAR will assist the court in further enhancing its emergency planning and response.

**Table 2-19: After-Action Review**

Item to Consider	Explanation, Response, or Protocol
Who will be responsible for leading the after-action review after an emergency incident?	
What methodology will be used to develop an AAR? (e.g., surveys, meetings, one on one interviews)	
How quickly will a written AAR be developed following the conclusion of an emergency incident?	
A written copy of the AAR will be distributed to the following stakeholders.	
Each of the following areas will be evaluated during an AAR.	
A Correction Action Plan (CAP) will be developed to capture action items learned from the AAR. Who will be responsible for ensuring the items listed in the CAP are implemented?	
Where will completed after-action reports reside?	
<i>Insert other questions to cover any additional procedures the court wishes to specify for this topic.</i>	

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# COOP TRAINING AND EXERCISE PROGRAM IDENTIFICATION WORKSHEET

Table 3-1: COOP Training and Exercise Program Identification Worksheet			
Type of Training	Recipients	Method(s)	Frequency
COOP Orientation			
COOP Refresher			
Updates to FEMA Cost Recovery Process			
<i>Insert others</i>			
Exercises			
Type of Exercise	Recipients	Method(s)	Frequency
Drill			
Tabletop			
Functional			
Full Scale			
<i>Insert others</i>			

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## COOP HAZARD ANALYSIS WORKSHEET

---

Table 3-2: Hazard Analysis						
Scoring Factor	Hazard					
	<i>Insert hazard</i>	<i>Insert hazard</i>	<i>Insert hazard</i>	<i>Insert hazard</i>	<i>Insert hazard</i>	<i>Insert hazard</i>
Probability (1-5) One means low probability of occurrence and five meaning a high probability of occurrence.						
Severity (1-5) One means low impact to court functions and five meaning a critical impact to court operations.						
Total Risk (P x S) Multiply probability by severity to attain total risk score.						

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# COOP HAZARD ANNEX TEMPLATE

## PANDEMIC ANNEX PART A: READINESS AND PREPAREDNESS

### Table 3-3A: Purpose of (Insert Hazard) Annex

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### Table 3-3B: Continuity Objectives for (Insert Hazard)

The overarching objectives in a (insert hazard) include:

- (Insert objectives)
- 

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### Table 3-3C: COOP Planning Assumptions for (Insert Hazard)

The following are typical assumptions the court may face in a (insert hazard) incident:

- (Insert assumptions)
- 

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### Table 3-3D: Readiness and Preparedness of Operations for (Insert Hazard)

The following are action steps designed to assist the court in a pandemic incident. These action steps are meant to supplement the existing protocols and actions developed in the Court's COOP plan due to the unique pandemic hazard.

#### Readiness and Preparedness

- Insert items as appropriate*
- 

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## PANDEMIC ANNEX PART B: ACTIVATION

### Table 3-3E: Activation of COOP for (Insert Hazard)

The following are action steps designed to assist the court in a pandemic incident. These action steps are meant to supplement the existing protocols and actions developed in the Court's COOP plan due to the unique pandemic hazard.

#### Activation

- Insert items as appropriate*
- 

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## PANDEMIC ANNEX PART C: ONGOING COOP OPERATIONS

Table 3-3F: Ongoing Operational Response During (Insert Hazard)	
The following are action steps designed to assist the court in a pandemic incident. These action steps are meant to supplement the existing protocols and actions developed in the Court's COOP plan due to the unique pandemic hazard.	
Ongoing Response	
<input type="checkbox"/> <i>Insert items as appropriate</i> <input type="checkbox"/>	
Ongoing Department Specific Responsibilities in a Pandemic	
Operations	<input type="checkbox"/> <i>Insert items as appropriate</i> <input type="checkbox"/>
General Counsel	<input type="checkbox"/> <i>Insert items as appropriate</i> <input type="checkbox"/>
Human Resources	<input type="checkbox"/> <i>Insert items as appropriate</i> <input type="checkbox"/>
IT	<input type="checkbox"/> <i>Insert items as appropriate</i> <input type="checkbox"/>
Facilities	<input type="checkbox"/> <i>Insert items as appropriate</i> <input type="checkbox"/>

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Table 3-3G: Safety Measures to be Provided During (Insert Hazard)	
The following are safety measures to protect judges/staff and ensure safe courthouses during a pandemic.	
Facilities	
<input type="checkbox"/> <i>Insert items as appropriate</i> <input type="checkbox"/>	
Safety Protocols	
<input type="checkbox"/> <i>Insert items as appropriate</i> <input type="checkbox"/>	
Personal Protective Equipment	
<input type="checkbox"/> <i>Insert items as appropriate</i> <input type="checkbox"/>	

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## PANDEMIC ANNEX PART D: RECONSTITUTION TO NORMAL OPERATIONS

Table 3-3H: Reconstitution of Operations in a Pandemic	
The following are action steps designed to assist the court in a pandemic incident. These action steps are meant to supplement the existing protocols and actions developed in the Court's COOP plan due to the unique pandemic hazard.	
Reconstitution Back to Normal Operations	
<input type="checkbox"/> <i>Insert items as appropriate</i> <input type="checkbox"/>	

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