

Michigan Trial Court Guidelines for Court Continuity of Operations Plan

Revised August, 2016

Produced by the
Michigan Supreme Court
State Court Administrative Office

Acknowledgments

Special thanks to Macomb County and Oakland County for sharing their county plans for review. Having resources specific to Michigan was an aid in the development of these guidelines. The templates located in the appendices were designed by Macomb County.

A special acknowledgment is also in order for John Ort, Director of Court Security and Emergency Management for the Michigan Supreme Court, for his oversight in this project.

Thanks also to Pamela Avdoulos (35th District Court), Mike Dillon (55th District Court), Lisa Ellis (16th Circuit Court), Jennifer Phillips (16th Circuit Court), Brian Ray (Berrien County Trial Court), and Carol Stocking (86th District Court) who assisted in developing aids for preparing a Go Kit and in refining the guidelines for practical application.

Table of Contents

Introduction..... i

Section 1: Program Development and Maintenance Steps 1

Section 2: Elements of a “Continuity of Operations” (COOP) Plan..... 3

Section 3: Go Kit 12

Section 4: Additional Resources 18

Appendices: Questionnaire and Templates

Appendix A-1: Determining Essential Functions Questionnaire

 Instructions..... 19

 Questionnaire Template 22

Templates for COOP Plan

 Appendix A-2: Template for Essential Functions 26

 Appendix B: Templates for Delegation of Authority and Order of Succession 28

 Appendix C-1: Templates for Computer Hardware and Software,
 Equipment, and Supplies 31

 Appendix C-2: Template for Vital Records 35

 Appendix D: Templates for Alternate Facility and Interoperable Communications. 37

 Appendix E: Templates for Contacts 43

 Appendix F: Initial COOP Activation Checklist 47

Bibliography 48

INTRODUCTION

An emergency or disaster, such as a breach in security, fire, or flood, can occur suddenly and impact a broad range of individuals and entities. However, the Michigan trial courts must continue operations in spite of an emergency or disaster. Therefore, it is essential for courts to prepare for various foreseeable emergencies and disasters.

Although all counties have emergency management plans in place - and most trial courts have a court security plan - these plans often do not include a continuity of operations (COOP) plan for the trial courts. A COOP plan is important because it provides details for how to continue essential court functions when normal operations at the court's primary facility are disrupted. It doesn't require a major catastrophe or emergency to significantly disrupt a court's facilities. Flood or fire within the confines of the court facility alone is enough to warrant a COOP plan.

A COOP plan can ensure court personnel, facilities, and systems are prepared to survive the initial effects of an emergency or disaster and alternate locations are available to provide the necessary infrastructure to continue operations. Each court should develop a COOP plan and file it with their respective State Court Administrative Office regional administrator. These basic steps and elements are provided to help courts develop and implement their COOP plans. A court should cooperate with its emergency management coordinator in devising a COOP plan.

These guidelines lead a court through the necessary steps to develop a COOP plan in a template format. A best practice in preparing for a trial court's emergency management plan is to work with local emergency management personnel and to become familiar with the COOP-planning process. Resources on continuity of operations have been developed by other states and rather than reinventing these for Michigan, we recommend trial court administrators take the time to study them. One highly recommended resource that is listed in Section 4, page 18, is Ohio's *Court Continuity of Operations (COOP) Program Guide*. This guide provides a comprehensive set of step-by-step instructions for establishing a COOP program and developing a COOP plan. By reading this resource and following the guide's various steps as it relates to Michigan, a court will be better equipped to develop its COOP plan.

SECTION 1: Program Development and Maintenance Steps

This section briefly outlines the necessary steps in laying the foundation of a COOP program, developing a COOP plan, and reviewing and maintaining the COOP program and plan. Guidance in developing a COOP plan is in Section 2.

1. Contact Local Emergency Management Coordinator

- Review and become familiar with local emergency management plans, policies, and procedures.
- Review and become familiar with other local COOP plans and initiatives.
- Partner and strategize to incorporate the Court's COOP plan with local emergency management plans with the goal to improve communication, coordination, and cooperation during a COOP activation.
- Identify and share local resources (e.g., equipment, supplies, technical expertise, facilities) where practicable.
- Seek additional guidance and planning assistance when needed.

2. Designate the COOP-Related Personnel and Assign Responsibilities

- Appoint a COOP program manager or coordinator.
- Appoint a COOP planning team, including representatives from assisting agencies.
- Divide and assign responsibilities to COOP planning-team members.

3. Develop the Planning Basis for the COOP Program and Plan

- Conduct a risk assessment to identify hazards, threats, and events to which the court is most susceptible.
- Determine essential functions (fundamental tasks and job functions). (See pages 19-27.)
- Determine essential personnel who will perform essential functions in an emergency. (See pages 19-27.)
- Determine vital records and critical resources/vital systems and arrange for safeguarding. (See page 7.)

4. Identify Alternate Work Facilities or Court Locations

- Determine the requirements for an alternate work facility. (See page 8.)
- Create a list of potential alternate work facilities and rank them according to needs.
- Implement cooperative or mutual-aid agreements for the alternate facilities.
- Make arrangements for continuing operations that rely on attached or adjacent detention facilities.

5. Establish a COOP Activation Team

- Identify the advance/response team responsible for activation and set up of the alternative work facility.
- Identify the operational/crisis management team necessary to begin the most urgent and/or essential functions.
- Use the activation checklist. (See page 47.)

6. Develop the COOP Plan

- Make sure the plan addresses the objectives necessary for continuity of operations.
- Use the Essential Functions Questionnaire and forms and worksheets. (Appendix A) (See pages 19-27.)
- Assemble the COOP plan materials using the plan template or other similar format.

7. Develop Procedures, Job Aids, Checklists, and Flowcharts for Implementing the COOP Plan

- Maintain these in the Appendix of the trial court's final COOP Plan.

8. Coordinate with Assisting Agencies and Establish Memoranda of Understanding or Agreement

- Involve assisting agencies on the COOP planning team.
- Determine what support the court expects to need during a COOP event.
- Review assisting agency COOP plans.
- Document the agreed upon expectations between the court and the assisting agencies.

9. Conduct COOP Training and Exercises

- Provide education and training to staff on COOP implementation.
- Implement a COOP plan exercise program.

10. Conduct Ongoing Review and Take Corrective Actions

- Designate a COOP review team.
- Identify items or issues with a high probability of changing, such as personnel and orders of succession.
- Establish a review cycle for keeping the plan up-to-date.

SECTION 2: Elements of a Continuity of Operations (COOP) Plan

This section provides details necessary to develop a COOP plan. It includes the 13 elements that must be included in a court's COOP plan, along with a brief description of each element and instructions for developing each element of the plan. The appendices contain templates that can be used for documenting the necessary information relevant to certain elements.

1. Executive Summary

The executive summary briefly outlines the content of the COOP plan and describes what it is, who it affects, and the circumstances under which it should be executed. Additionally, the summary discusses the key elements of COOP planning and generally explains a court's implementation strategies.

2. Introduction

The introduction to the COOP plan explains the importance of COOP planning, including a review of local emergencies and disasters that demonstrate the need for COOP planning.

3. Purpose

The purpose explains why the court is developing the COOP plan, such as to ensure the continuity of essential court functions. It should also state that the COOP plan is designed to address a variety of threats.

4. Applicability and Scope

The applicability and scope describes how the COOP plan applies to the court as a whole and what the plan covers. It includes applicability to the court's primary and secondary functions and to court personnel and facilities, regardless where the court's facilities are located. It also describes how the COOP plan applies to specific court personnel. The scope of the COOP plan should be broad enough to address the full range of potential threats to operation of the court.

5. Essential Functions

The essential functions are those functions and activities the court must continue under any and all circumstances, prioritized in order of importance. There are several ways to approach identifying essential functions. A common method considers all functions a court undertakes and determines which are essential or required by law.

Michigan Trial Court Guidelines for Court Continuity of Operations Plan
Section 2: Elements of a Continuity of Operations (COOP) Plan

(9/15)

After identifying the court's essential functions, the COOP planning team must identify the key personnel to perform these functions. Two methods for determining essential personnel are to: 1) examine the consequences from a vacancy, or 2) question personnel about potential consequences from a vacancy.

To assist the COOP planning team in determining the court's essential functions and personnel, see the Essential Functions Questionnaire in Appendix A-1. A template for documenting essential functions and related information is in Appendix A-2 (see page 26).

6. Authorities and References

The authorities and references lists the authorities and materials that provide the basis for the contents of the COOP plan, such as federal law, local policies, and ordinances. Pursuant to the Michigan Constitution, the Supreme Court may authorize persons who have been elected and served as judges to perform judicial duties for limited periods or specific assignments. Const 1963, Art. VI § 23, Eff. January 1, 1964.

- **Daily Operations:** Include outlines or lists of the different documents and policies that grant the organization the power to do what is expected on a day-to-day basis. A discussion of the documents and policies may be included but is not required.
- **Emergency Operations:** Include outlines and lists of the different documents and policies that grant the organization the power to do what is expected and necessary or required to do during emergencies. Some basic discussion of these documents and policies may be included but is not required.
- **Policies Relating to Plan Creation and Implementation:** Include a list of all policies relating to the creation and implementation of the COOP plan. This will include guidelines that relate to the information outlined. If your COOP plan falls under a county or municipal COOP, that information should be included as well.

7. Concept of Operations

In some emergencies, it is not necessary to relocate from the primary facility to an alternate work facility. When it is necessary, the COOP plan should explain in the Concept of Operations how the court will implement these three phases of its COOP plan: 1) activation and relocation, 2) alternate facility operations, and 3) return to normal operations.

7.1. Phase One: Activation and Relocation

For Phase One, the activation and relocation procedures from the court's primary facility to an alternate facility are explained, including the following details. Activation and relocation

occurs in the first 12 hours after a disruption to operations requiring abandonment of the primary facility. This step relies heavily upon communication between the COOP planning team or the COOP program manager/coordinator and the affected personnel, court, assisting agencies, and vendors who provide services for relocation, as well as to the public.

a. Decision Process

The decision process describes in writing or graphic form the logical steps to implement the COOP plan and the circumstances under which the plan is activated (both with and without warning). It also identifies the individual or individuals who have authority to activate the COOP plan.

b. Alert and Notification Procedure and Implementation Process

This process details the (1) emergency communications and employee alert and notification procedure, and (2) implementation process following a decision to activate the COOP plan.

c. Leadership

This section outlines how the fundamental requirements for leadership are achieved following activation of the COOP plan. It includes orders of succession, delegation of authority, and transfer of power.

1. Orders of Succession

Orders of succession identify the key personnel who will assume the duties of key positions within the court that have become vacant as a result of an emergency or disaster. The orders of succession define the conditions under which succession will take place; the method of notification; and any temporal, geographical, or organizational limitations of authority.

Orders of succession should be at least three persons deep for each position to ensure the court's ability to manage and direct its essential functions.

To ensure orders of succession for each essential position are complete, it may be helpful to complete a table of organization for the court.

2. Delegations of Authority

Delegations of authority are official documents that identify, by position, the individuals with authority for making policy determinations and decisions

following activation of the COOP plan. Delegations of authority can also be used to meet specific competency requirements related to one or more essential functions that are not otherwise accomplished by the order of succession. These predetermined delegations of authority will take effect when normal channels of direction are disrupted and end when normal channels resume. They usually have triggers for activation; procedures for outlining the delegation, including notice to relevant staff of the transfer of power; and limitations on duration, extent, and scope of the delegated authority.

Each delegation should specify any relevant legal authority for making key decisions, identify the programs and administrative authorities needed for effective operations, and establish the capabilities that are needed to restore existing and/or new authorities after the situation causing the disruption in court operations is under control. Predetermined delegations of authority are particularly important in a devolution scenario.

3. Transfer of Power

The transfer of power directs how a court identifies and conducts its essential functions when the court's leadership is completely incapacitated in a worst-case scenario.

Templates for documenting delegation of authority and orders of succession are available in Appendix B.

7.2. Phase Two: Alternate Facility Operations

Phase Two prescribes the initial procedures to implement upon arrival at the alternate facility and the operational procedures to be carried out for continuing the court's essential functions. This includes the means for duplicating the court's mission-critical systems and vital records.

a. Mission-Critical Systems

The court must define its mission-critical systems (i.e., those systems necessary to perform the court's essential functions) and specify the method of transferring/replicating them at the alternate facility. Communications, information technology, and security resources are three primary critical systems areas.

The court should address the need for land-line, wireless, and radio communication systems and devices, e-mail and Internet, and links to court-information systems and related databases.

Most courts depend upon computer technology in performing many essential functions. Courts should contact IT to determine whether it has an information technology disaster recovery plan in place with regard to computer hardware and software. If so, such a plan will be helpful in the COOP efforts.

Security needs that should be considered are transfer of the video arraignment system, security equipment, audio/visual equipment, surveillance, prisoner restraint, and metal detectors and wands.

A template for documenting essential computer hardware and software, equipment, and supplies is available in Appendix C-1.

b. Vital Records

The court must identify and duplicate the records that are vital in: 1) performing essential functions and activities at the alternative location, and 2) establishing normal court operations when the situation permits. The order in which these different records would need to be recovered in case of loss should also be outlined.

There are two basic types of vital records for COOP-planning purposes: 1) emergency operating records, and 2) legal and financial records. The emergency operating records include emergency operating procedures, standard operating procedures, general guidelines and procedures, and key COOP documents. Legal and financial records include records of incarcerated persons, case files, trial schedules, and chain of evidence.

Court records are recorded information of any kind (paper and electronic) that has been created by or filed with the court. See MCR 1.109(A) and MCR 8.119 for details. If vital records are copied onto other media, it is only necessary to capture the information rather than the duplicating the original form of the record. The court must maintain these “duplicate” records at the alternate facility and update them on a regular basis.

A template for documenting vital records is available in Appendix C-2.

7.3. Phase Three: Return to Normal Operations

Phase Three prescribes the court’s procedures for returning to normal operations (also known as reconstitution), including procedures for returning to the court’s primary facility (if available) and notifying all court personnel about returning to work.

The court may also want to include in this phase a list of its nonessential functions, the order in which those functions need to be resumed, the recovery time allowed before those functions need to be resumed, and who is responsible for providing those functions. These functions can be ordered in a variety of ways, but it is suggested they follow a listing based on priority ranking and then recovery time.

Finally, as part of the return to normal operations, the court should evaluate the effectiveness of the COOP plan and prepare a report outlining any plan of action that needs to be taken to improve the COOP plan.

8. COOP-Related Responsibilities

There should be an additional delineation of the COOP-related responsibilities of key court personnel that includes individuals identified in the order of succession and delegation of authority.

9. Logistics

Logistics defines the court's needs regarding alternate locations; communications; and transportation, lodging, and food as the result of a disruption in normal operations. It also identifies the alternate facilities to be used, the critical communications that are required at those facilities, and, in catastrophic situations, plans for transportation, lodging, and food for personnel.

Logistics should explain the importance of identifying an alternate location and facility, the requirements for determining the alternate facility, the operational risks associated with each facility, and the relocation plan for each facility. It should also take into consideration the need for tentative and reciprocal agreements pertaining to necessary arrangements for attached or adjacent detention facilities that may be affected by an emergency.

Templates for documenting information regarding alternate facilities and the interoperable communications are available in Appendix D.

9.1. Alternate Facility

The court must identify and secure an alternate location and facility for continuing operations as a result of an emergency. Included in an explanation of alternate facilities is the significance of and requirements for identifying an alternate facility and the advantages and disadvantages of the alternate facility.

The operational risks associated with each identified alternate facility should also be described. This information must be included in the relocation plan, which is described in Phase One of the Concept of Operations.

An alternate facility should provide:

- Sufficient space and equipment.
- Capability to perform essential functions within 24 hours and for up to 30 days.
- Reliable logistical support, services, and infrastructure systems.
- Consideration for health, safety, and emotional well-being of court personnel.
- Interoperable communications.
- Computer equipment and software.

The court should identify as many suitable facilities as possible, conduct a risk assessment on each one, and rank them according to how well each meets the needs and cost constraints of the court.

9.2. Interoperable Communications

Interoperable communications gives the court the ability to execute its essential functions at its alternate operating facility. Connectivity between key government leadership, support services, other agencies, and internal and external stakeholders is dependent upon the identification, availability, and redundancy of critical communications and information technology systems. As such, interoperable communications identifies available and redundant critical communication systems at the alternate facility.

Interoperable communications systems should provide court personnel the ability to communicate within and outside the court as to:

- Capability commensurate with the court's essential functions.
- Ability to communicate with essential court personnel.
- Ability to communicate with other agencies, organizations, and parties.
- Access to data and systems.
- Communications systems for use in situations with and without warning.
- Ability to support COOP operational requirements.
- Ability to operate at the alternate facility within 24 hours and for up to 30 days.
- Interoperability with existing field infrastructures.

9.3. Transportation, Lodging, and Food

The court may want to consider including general logistical information for transportation, lodging, and food for situations involving rare catastrophic incidents.

9.4. Miscellaneous

The court should consider any additional information regarding specific logistical actions that might be necessary should an interruption of everyday services occur. This can include a wide variety of items (such as family preparedness planning, contacting the court's insurance agent, etc.) and the court should take time to identify these concerns.

10. Testing, Training, and Exercises

Courts should conduct tests of their COOP manual and plan annually. Testing, training, and exercising the court's COOP capabilities are essential to assessing, demonstrating, and improving the ability of the court to execute its COOP plan. These activities familiarize court personnel with their respective roles and responsibilities during an emergency. This is done to ensure that systems and equipment are maintained in a constant state of readiness and also helps to validate different aspects of the COOP plan.

COOP testing, training, and exercises should provide:

- Individual and team training of court personnel.
- Internal testing and exercising of COOP plans and procedures.
- Testing of alert and notification procedures.
- Refresher orientation for COOP personnel.
- COOP-plan exercises with other local government and emergency management entities, if appropriate.

11. Multi-Year Strategy and Program Management Plan

The COOP program manager or coordinator should provide documentation in this element as to how the court will develop a multi-year strategy and program management plan. This plan should be developed as a separate document and should address:

- Short and long-term COOP goals, objectives and timelines.
- Any budgetary requirements.
- Planning and preparedness considerations.
- Planning milestones or tracking systems to monitor accomplishments.

12. COOP-Plan Maintenance

Courts should review their COOP manuals and plans periodically. Additionally, key evacuation routes, roster and telephone information, maps, and room/building designations of alternate facilities should be updated as changes occur. The COOP-plan maintenance details how the court will ensure the COOP plan is reviewed periodically and contains the most current information.

13. Appendices

The COOP plan should include the following appendices so that the main body of the COOP plan will remain largely intact when changes within the court occur. For example, personnel changes will occur, orders of succession and delegations of authority will change over time, and policies and procedures are likely to change, which do not necessarily change the overall objectives of the plan.

13.1. Procedures, Job Aids, Operational Checklists, and Flowcharts

The COOP plan includes, at a minimum, operational checklists for use following activation of the COOP plan. Checklists may be designed to list the responsibilities of a specific position or the steps required to complete a specific task. A checklist ensures all required tasks are accomplished so the organization can operate at an alternate location.

A sample operational checklist includes:

- Emergency Calling Directory.
- Key Personnel Roster and Essential Functions Checklist.
- Senior Emergency Response Team Roster.
- Emergency Relocation Team Checklist.
- Alternate Facility Acquisition Checklist.
- Emergency Operating Records and IT Checklist.
- Emergency Equipment Checklist.
- Operational Readiness Checklist.
- Deployment Readiness Checklist.

In addition, the plan may include: 1) procedures, which are useful in implementing the plan, 2) job aids, which can help in completing complex or critical tasks for alternative personnel, and 3) flowcharts, which assist in performing critical functions.

Templates for documenting the activation team (advance team and operation team), key personnel, and vendors/suppliers are available in Appendix E.

13.2. Alternate Facility Information

13.3. Maps and Evacuation Routes

13.4. Definitions and Acronyms

SECTION 3: Go Kit

A trial court must be prepared to respond to an emergency within the first 12 hours. At a minimum, a court must make arrangements for and document the following nine components. This “Go Kit” must be maintained off site (i.e., the local emergency management office). Use the template on pages 15 through 17 to assist in preparing a Go Kit. The Go Kit must contain paper copies of the lists and documents referred to below. Best practices for developing a Go Kit are on page 14.

A. Go Kit Contents

1. Crisis Communication Plan

This plan must indicate how a particular crisis is going to be communicated and to whom. See Section 2, pages 4 through 6 for details.

2. Initial Continuity of Operations (COOP) Activation Checklist

This checklist provides the minimum tasks to be taken to activate the COOP plan within the first 24 hours. It must be kept in the Go Kit to aid the COOP activation team. Courts may use the checklist in Appendix F (see page 47) or create their own.

3. Checklist for Mission-Critical Arrangements

This checklist provides the minimum arrangements for transferring/replicating the mission-critical systems necessary to perform the court’s essential functions at an alternative facility. The primary critical systems are communications, information technology, and security resources. See Section 2, pages 6 and 7 for details.

4. Continuity of Operations (COOP) or Alternative Emergency Response Plan

This plan is highly recommended for providing the details a court needs to continue essential court functions when normal operations at the court’s primary facility are disrupted. If a court does not develop a COOP plan, it must have an alternative emergency response plan that provides enough detail for a court to continue its essential functions.

5. Delegation of Authority

This is a hierarchical list of individuals with authority to make policy determinations and decisions following activation of the COOP plan. It must include each individual’s name and position and any limitations in authority. See Section 2, page 5 for details.

6. Key Contacts

This is a list of individuals to be notified when a court is closed because of an emergency or disaster. The list must include:

- The SCAO regional administrator's name, telephone and FAX numbers, and e-mail address.
- The local emergency management coordinator's name, telephone and FAX numbers, and e-mail address.
- Each vendor's and supplier's business name, address, telephone and FAX numbers, e-mail address, and website address (if one).
- Each alternate facility owner's or manager's name, address, telephone and FAX numbers, and e-mail address.
- Complete employee personal contact information.
- IT staff directory.
- Local/County government staff directory.
- Local/County emergency management staff directory.
- SCAO staff directory.
- Local public and business directory.
- Hotels and restaurants.

7. Emergency Relocation Group (COOP Activation Team)

This is a list of personnel who need to be at the alternate facility. The list must include each individual's name, position, primary and alternate phone number, and e-mail address. See Section 1, page 1 and Section 2, pages 4 through 6 for details.

8. Alternate Facility and Supplies

Arrangements must be in place for an alternate facility, including a list of essential supplies, equipment, furniture, etc., based on mission-critical business needs. A checklist of mission-critical systems arrangements (3. above) and contact information (6. above) will be included. See Section 2, pages 8 and 9 for details.

9. Access to Vital Records and Other Resources

All vital records, including the court's COOP plan, need to be identified and the court needs to take steps to ensure these vital records can be accessed at the alternate facility. These records, including all forms necessary for ordering such things as emergency custody orders, arrest, etc., must be duplicated in hard copy. In addition, legal and other resources must be made available in some means (paper or electronic). See Section 2, page 7 for details.

B. Best Practices

1. Logistics Agreements

Depending on the size and location of your court, including some items in the Go Kit may not be practical. Consider developing agreements with other local units of government or vendors to provide just-in-time delivery of equipment and supplies to your alternate facility when needed. Alternatively, establish preapproved purchasing agreements with your funding unit and equipment/supply vendors.

2. Wi-Fi Hot Spots

When selecting an alternate facility, consider sites in Wi-Fi Hot Spots for quick Internet connectivity.

3. Electronic Access to Court Forms, Documents, and Other Important Resources

In addition to maintaining paper copies of certain vital documents in the Go Kit, consider storing them on electronic devices, such as USB flash drives, external hard drives, laptop computer, or real-time internet cloud storage (backup recommended).

4. Bookmark Internet Site URLs

Create a document containing bookmarks of all frequently used Internet site URLs (Michigan Compiled Laws, Michigan Court Rules, vendors, suppliers, hotels, restaurants, and other contacts).

5. IT Backup

Keep daily court IT backups safe and secure off site. Determine how you will access those backups if needed.

6. LEIN Access

Determine in advance a backup remote location for LEIN access.

7. Update Go Kit Contents

Update your Go Kit quarterly. Pay special attention to resources that become quickly outdated.

C. Template

The following template can be used to aid in organizing and assembling a Go Kit.

**Michigan Trial Court Guidelines for Court Continuity of Operations Plan
Section 3: Go Kit Template**

(8/16)

Emergency Response and Communications Arrangements

Required

Preplanning

<input type="checkbox"/> Crisis Communication Plan and Delegation of Authority	Yes	See Section 2:7
<input type="checkbox"/> Initial COOP Activation Checklist	Yes	See Appendix F
<input type="checkbox"/> COOP/Emergency Plan	Yes	See Section 2
<input type="checkbox"/> Local County COOP Plan		
<input type="checkbox"/> Personal and/or Business Cellular/Smart Phone	Yes	
<input type="checkbox"/> Local First Responder Portable Radio		See Section 2:9.2
<input type="checkbox"/> Telephone and Radio Batter Chargers	Yes	
<input type="checkbox"/> Small AM & FM or Weather Radio		

Contact Information

Required

Preplanning

Key Contacts

<input type="checkbox"/> SCAO Regional Administrator	Yes
<input type="checkbox"/> Local Emergency Management Coordinator	Yes
<input type="checkbox"/> Vendors and Suppliers	Yes
<input type="checkbox"/> Alternate Facility Owner(s) or Manager(s)	Yes
<input type="checkbox"/> Court Insurance Carrier	Yes

Other Contacts

<input type="checkbox"/> Complete Employee Personal Contact Information	Yes
<input type="checkbox"/> IT Staff Directory	Yes
<input type="checkbox"/> Local/County Government Staff Director	Yes
<input type="checkbox"/> Local/County Emergency Management Staff Directory	Yes
<input type="checkbox"/> SCAO Staff Directory	Yes
<input type="checkbox"/> Local Public and Business Directory	Yes
<input type="checkbox"/> Local Media Contacts	Yes
<input type="checkbox"/> Hotels and Restaurants	Yes

Michigan Trial Court Guidelines for Court Continuity of Operations Plan
Section 3: Go Kit Template

(8/16)

Mission Critical and Alternate Facility Arrangements

Required Preplanning

- | | | |
|--|-----|-----------------|
| <input type="checkbox"/> Emergency Relocation Group (Activation Team) | Yes | See Section 2:7 |
| <input type="checkbox"/> Floor Plan of Alternate Facility | Yes | |
| <input type="checkbox"/> Road Map/Directions to Alternate Facility | Yes | |
| <input type="checkbox"/> Alternate Facility MOU (if needed) | Yes | |
| <input type="checkbox"/> Pre-established Remote LEIN Access | Yes | |
| <input type="checkbox"/> Resource Sharing MOUs (if needed) | | |
| <input type="checkbox"/> External Hard Drives | | |
| <input type="checkbox"/> Wireless/Wired Router (Access Point) | | |
| <input type="checkbox"/> Printer/Scanner | | |
| <input type="checkbox"/> Printer Toner/Cartridge | | |
| <input type="checkbox"/> Notebook Computer (with Wi-Fi) | | |
| <input type="checkbox"/> Cables, Charging Cords, and Power Strips | | |
| <input type="checkbox"/> USB Flash Driver Memory (several) | | |
| <input type="checkbox"/> Purchasing Arrangements (agreements, MOUs, purchase orders, credit cards) | | |
| <input type="checkbox"/> Facsimile Machine | | |
| <input type="checkbox"/> Acquisition Checklist | | |

Vital Records

Required Preplanning

- | | | |
|---|-----|--|
| <input type="checkbox"/> Current Court Calendar or Docket | Yes | |
| <input type="checkbox"/> Insurance Policy and Information | Yes | |
| <input type="checkbox"/> Tape or Digital Recorder | Yes | |
| <input type="checkbox"/> Extra Recording Media (tapes/memory) | Yes | |

Court Forms

Yes

- | | |
|---|-----|
| <input type="checkbox"/> Register of Actions | |
| <input type="checkbox"/> Generic Orders | |
| <input type="checkbox"/> Juvenile | |
| <input type="checkbox"/> Mental Health | |
| <input type="checkbox"/> Personal Protection Proceedings | |
| <input type="checkbox"/> Criminal | |
|
 | |
| <input type="checkbox"/> Prenumbered Receipts Book (with preprinted court name) | Yes |
| <input type="checkbox"/> Preprinted Time Sheets | Yes |

Michigan Trial Court Guidelines for Court Continuity of Operations Plan
Section 3: Go Kit Template

(8/16)

Resources

	<u>Required</u>	<u>Preplanning</u>
<input type="checkbox"/> Local Ordinances	Yes	
<input type="checkbox"/> Access to Michigan Compiled Laws and Michigan Court Rules (website)	Yes	
<input type="checkbox"/> Union/Labor Contracts		
<input type="checkbox"/> Human Resource Guide		

Supplies

	<u>Required</u>	<u>Preplanning</u>
<input type="checkbox"/> Pens, Pencils, Pencil Sharpener	Yes	
<input type="checkbox"/> Sticky Notes	Yes	
<input type="checkbox"/> Copy/Printer Paper		
<input type="checkbox"/> Legal Pads	Yes	
<input type="checkbox"/> Court Stationary/Envelopes		
<input type="checkbox"/> Labels		
<input type="checkbox"/> US Mail/Postage Supplies		
<input type="checkbox"/> Special Carrier Mailing/Shipping Supplies		
<input type="checkbox"/> Court Seal, Date, Certification, and Other Stamps	Yes	
<input type="checkbox"/> Stapler and Staples	Yes	
<input type="checkbox"/> Staple Remover	Yes	
<input type="checkbox"/> Paper/Binder Clips	Yes	
<input type="checkbox"/> Tape and Dispenser	Yes	
<input type="checkbox"/> Legal/Letter Size Folders	Yes	
<input type="checkbox"/> Expandable Folders/Files	Yes	
<input type="checkbox"/> Portable (Box) File Storage	Yes	
<input type="checkbox"/> Calculator	Yes	
<input type="checkbox"/> Cash Box with Lock	Yes	
<input type="checkbox"/> Bank Deposit Bags with Locks and Deposit Slips	Yes	
<input type="checkbox"/> Robe		
<input type="checkbox"/> Flashlight		
<input type="checkbox"/> Duct Tape		
<input type="checkbox"/> Business Cards		
<input type="checkbox"/> First-Aid Kit		

Section 4: Additional Resources

Consult the following various additional COOP-related resources. These resources provide further detail of the topics discussed in these guidelines and can prove helpful to a court in developing its COOP plan.

1. Federal Emergency Management Agency (FEMA) Circulars

- Federal Preparedness Circular 65 (FPC-65): General guidance to federal executive branch departments and agencies for use in developing COOP plans and contains general COOP-related information. www.usaid.gov/policy/ads/100/fpc65899.pdf
- Continuity Guidance Circular 1 (CGC 1), Continuity Guidance for Non-Federal Entities: Direction for developing COOP plans for state and local government entities and the private sector. www.fema.gov/pdf/about/org/ncp/coop/continuity_guidance_circular.pdf

2. Federal Emergency Management Free Interactive Web-Based Courses

- IS-546 Continuity of Operations Awareness Course: Brief one-hour overview of the elements of a viable COOP plan and a fundamental understanding of COOP planning, terms, objectives, and benefits to public sector departments and agencies. www.training.fema.gov/emiweb/IS/is546.asp
- IS-547 Introduction to Continuity of Operations (COOP): Five-hour course covering COOP-plan elements. www.training.fema.gov/emiweb/IS/is547.asp

3. National Center for State Courts Resource

Online planning guide and toolkit containing planning steps, plan worksheets, and plan templates. <http://www.ncsc.org/Services-and-Experts/Areas-of-expertise/Emergency-planning-and-security/Planning-Guide.aspx>

4. The Supreme Court of Ohio Resource

The Supreme Court of Ohio Court Continuity of Operations (COOP) Program Guide: Comprehensive set of instructions on establishing a COOP program and developing a COOP plan. <http://www.sconet.state.oh.us/Boards/courtSecurity/COOPGuide.pdf> and <https://www.supremecourt.ohio.gov/Boards/courtSecurity/COOPGuide.doc>

Appendix A-1: Determining Essential Functions Questionnaire

Instructions

1. Identify functions:

- ✓ Identify functions the court performs or is required to perform on a regular basis. Some are mandated by statute or rule; others are based on their importance to court personnel.
- ✓ For example, the filing/processing of an emergency protective custody order.

2. What service(s) does each function provide?

- ✓ Identify what service each function provides to the court.
- ✓ In the example above, the response would be the filing/processing of an affidavit or other similar document that provides the legal basis for entering an emergency ex parte order to take a child into protective custody pending a hearing in order to prevent significant injury to the child.

3. Which department performs this function?

- ✓ Identify the department primarily responsible for the performance of this function.
- ✓ In the example above, this function is performed by the judge or referee on call after hours and by the clerk's office during normal court operating hours.

4. What assisting agencies does the court depend upon to complete this function?

- ✓ It is common to require the services of assisting agencies to complete certain functions.
- ✓ An example is the need for the IT department to maintain and update the COOP database.

5. Who are the key personnel needed to perform this function?

- ✓ Key personnel are identified as the minimum number of staff needed to perform the function.
- ✓ For example, the family division judge or referee and a juvenile court clerk would be the minimum number of staff needed in order to file and process an affidavit and order for authority to take a child into custody under an emergency ex parte order.

6. How soon does this function need to be performed?

- ✓ This is the most important component of the questionnaire. It is critical to identify how quickly a function needs to be completed in order to continue the function in an emergency or disaster. To answer this, ask how quickly this function needs to be online.

7. Does the loss of this function affect other organizations?

- ✓ Oftentimes, the loss of a court function affects other organizations.
- ✓ An example of such would be Child Protective Services, the prosecutor's office, and local law enforcement agencies not being able to file appropriate paperwork in the event a court is unable to operate.
- ✓ Those organizations/agencies affected by the loss of the function can be directed quickly to an alternate work facility so services can continue.

8. Can this function be transferred to another department, assisting agency, or other organization? If yes, which one(s)?

- ✓ Identify other departments, assisting agencies, or organizations with the ability to perform this function in the event the court is unable to perform. If more than one department, assisting agency, or organization can perform this function, list the order they would be called upon to do this task.

9. Is this function mandated by state law, the Michigan Court Rules, local rule, or other legal requirement? If yes, identify.

- ✓ As noted earlier, some functions are mandated by statutes, etc. These functions are considered essential even if they are not required for 30 days.

10. Is this an essential function?

- ✓ Based on the responses to the prior questions, determine whether this function is essential and must be done in the event of an emergency or disaster.

11. Identify the communication equipment needed to complete this function.

- ✓ Identify and list all communication equipment needed for the efficient completion of this function (e.g., telephone, fax machine, e-mail).

12. Identify the office equipment needed to complete this function:

- ✓ Identify and list all office equipment needed for the efficient completion of this function (e.g., copy machine, printer, receipt printer, typewriter, computer, adding machine, etc.).

13. Identify computer system and software programs used to complete this function:

- ✓ Identify and list any computer system (e.g., Windows XP, AS 400, etc.) and software programs (e.g., MS Office 2010, Adobe, Photoshop, scanning software).

14. Where is the needed data stored?

- ✓ Identify where the data (e.g., forms, files, other information) needed for this function is stored (e.g., hard drive, virtual drive, thumb drive, etc.).

15. Identify office supplies needed to perform this function:

- ✓ Identify and list any office supplies (e.g., paper, pens, staplers) needed to complete the function.

16. Is there a written policy/procedure for this function?

If yes:

- ✓ Identify the document name, the location of the written hard copy, and the location of an electronic file that could be accessed in the event of displacement or other emergency or disaster.

If no:

- ✓ Create a policy/procedure for this function.

Essential Functions Questionnaire Template

1. Identify functions.

2. What service(s) does each function provide?

3. Which department performs this function?

4. Which assisting agencies does the court depend upon to complete this function?

5. Who are the key personnel needed to perform this function?

6. How soon does this function need to be performed?

Up to 1 day 2 days 7 days 14 days 30 days

7. Does the loss of this function impact other organizations?

Yes No

If yes, which organizations?

8. Can this function be transferred to another department, assisting agency, or other organization?

Yes No

If yes, which department, assisting agency or organization?

9. Is this function mandated by law, court rule, or other legal requirement?

Yes No

If yes, identify.

10. Is this an essential function?

Yes No

11. Identify the communication equipment needed to complete this function.

12. Identify the office equipment needed to complete this function.

13. Identify computer system and software programs used to perform this function.

14. Where is the needed data stored?

15. Identify office supplies needed to perform this function.

16. Is there a written policy/procedure for this function?

Yes No

If yes:

Document Name _____

Location of Hard Copy _____

Location of Electronic Copy _____

Appendix A-2: Template for Essential Functions

Function

Department: _____

Essential function: _____

Precedence: Critical Priority On-going Event Driven

Max interruption: < 12 hrs 12- 24 hrs 24-72 hrs Other:

Position in charge: _____

Who performs this function? (list all that apply)

Position(s): _____

Vendor(s): _____

Key contact(s): _____

Who provides input to those who perform this function? (list all that apply)

Position(s): _____

Vendor(s): _____

Key contact(s): _____

Who uses the output from this function? (list all that apply)

Position(s): _____

Vendor(s): _____

Key contact(s): _____

Supporting Activities (list all that apply)

Notes

Appendix B: Templates for Delegation of Authority and Order of Succession

Position

Department: _____

Position: _____

Authority Delegated To

Department: _____

Position: _____

Limitations: _____

Authority Delegated To

Department: _____

Position: _____

Limitations: _____

Authority Delegated To

Department: _____

Position: _____

Limitations: _____

Notes

Positions designated for authority delegation are appointed in the event that the primary position holder is temporarily unable to continue/fulfill their duties. All authority for that position passes to the successor unless specified above under "Limitations". Authority delegation will follow the order of designees unless noted.

Position

Department: _____

Position: _____

Successor #1

Department: _____

Position: _____

Successor #2

Department: _____

Position: _____

Successor #3

Department: _____

Position: _____

Notes

**Appendix C-1: Templates for Computer Hardware and Software,
Equipment, and Supplies**

Essential Computer Hardware and Software

Department: _____

Item: _____

Model: _____

Specifications: _____

Status: Currently in use Will lease/buy for recovery location In storage for deployment

Qty on hand: _____ Qty Required: _____

Supplier Information

Primary Vendor/supplier: _____

Alternate Vendor/supplier: _____

Replacement time: _____

Alternate Facility Information

Location for installation: _____
(if applicable)

Is backup currently available? Yes No If Yes, location: _____

Notes

Use this form for computer equipment (laptop, desktop, printer, scanner, etc) and software required to support essential functions. Ensure that primary and alternate supplier/vendor (if listed above) have corresponding Supplier/Vendor worksheets

Essential Equipment

Department: _____

Item: _____

Model: _____

Specifications: _____

Status: Currently in use Will lease/buy for recovery location In storage for deployment

Qty on hand: _____ Qty Required: _____

Supplier Information

Primary Vendor/supplier: _____

Alternate Vendor/supplier: _____

Replacement time: _____

Alternate Facility Information

Location for installation: _____
(if applicable)

Is backup currently available? Yes No If Yes, location: _____

Notes

Use this form for high value department equipment that specifically supports essential functions (e.g. vehicles, radios, PDAs, test equipment, etc). Ensure that primary and alternate supplier/vendor (if listed above) have corresponding Supplier/Vendor worksheets

Appendix C-2: Template for Vital Records

Record Information

Name of record: _____

Storage type: Internal network server Zip disk
 External network server Thumb drive
 Internal hard drive Digital tape
 External hard drive Microfilm
 CD/DVD Printed copy
 Floppy disk Other: _____

Storage location: _____

Essential function it supports: _____

Backup Information

Backup available: Yes No

Storage type: Internal network server Zip disk
 External network server Thumb drive/memory stick
 Internal hard drive Digital tape
 External hard drive Microfilm
 CD/DVD Printed copy
 Floppy disk Other: _____

Backup schedule: Hourly Quarterly
 Daily Semi-annually
 Weekly Yearly
 Monthly Other: _____

Storage location: _____

Can the record be recreated? Yes No If no, explain: _____

Notes

**Michigan Trial Court Guidelines for Court Continuity of Operations Plan
Appendices: Templates**

(9/15)

**Appendix D: Templates for Alternate Facility and Interoperable
Communications**

Alternate Facility Information

Location: _____

Address: _____

City, State, ZIP: _____

Building owner/manager: _____

Phone: () - _____ **Cell phone:** () - _____

Fax: () - _____ **Pager:** () - _____

Email: _____ **Other:** () - _____

Directions to recovery location: (See following pages for maps) _____

Business functions to be performed at the alternate site

See Annex A: Essential Functions

Employees who should report to the alternate site

Emergency Relocation Group		

Notes

Driving distance from the (Main Facility Name Here): XX miles
 All maps are oriented north.

Insert Driving
Directions Map Here

Driving distance from the (Primary Facility Name) to (Alternate Facility Name): XX miles

Insert Alternate Facility
Map/Overhead Here

Insert Detailed Alternate
Facility Overhead Here

Interoperable Communications

Alternate Facility: _____

Telephones

Number available: _____ Currently connected: _____

Computers

Number available: Desktop: _____ Laptop: _____

Network connection available: Yes No If Yes, type: _____

Computer Peripherals

Printers: Yes No If yes, number available: _____ Type: _____

Servers: Yes No If yes, number available: _____ Type: _____

Scanners: Yes No If yes, number available: _____ Type: _____

Hand Held Radios

Number available: _____ Type: _____

Other

Fax Machines: _____

Copiers: _____

Notes

Use this form to identify Interoperable Communications equipment, to support essential functions, currently in place at the designated Alternate Facility

Appendix E: Templates for Contacts

Key Contacts

Business or agency: _____
Materials/service provided: _____
Street address: _____
City, State, Zip: _____
Company/service phone: _____
Website: _____
Account number: _____

Primary contact: _____	Title: _____
Office phone: () - ext: _____	Cell phone: () - _____
Fax: () - _____	Pager: () - _____
Email: _____	Other: () - _____

Alternate contact: _____	Title: _____
Office phone: () - ext: _____	Cell phone: () - _____
Fax: () - _____	Pager: () - _____
Email: _____	Other: () - _____

Notes

Use this form for non-vendor/supplier contacts such as: Utilities, State/Local Agencies/Departments, etc

Supplier / Vendor Information

Current supplier/vendor Backup supplier/vendor

Contact Information

Business or service: _____
Materials/service provided: _____
Street address: _____
City, State, Zip: _____
Company phone: () - _____
Website: _____
Account number: _____

Primary contact: _____	Title: _____
Office phone: () - _____ ext: _____	Cell phone: () - _____
Fax: () - _____	Pager: () - _____
Email: _____	Other: () - _____

Alternate contact: _____	Title: _____
Office phone: () - _____ ext: _____	Cell phone: () - _____
Fax: () - _____	Pager: () - _____
Email: _____	Other: () - _____

Notes

Use this form for current/backup vendors and suppliers who provide products/services to support essential functions.

Appendix F: Initial COOP Activation Checklist

- Based on the COOP leadership plan (*Section 2, 7.1: Activation and Relocation, Decision Process, page 5*), evacuate or close the primary facility.
- To accommodate statute of limitations on filing, enter an order if the court must close and there is no alternate facility in place to accept filings within 12 hours after disruption to operations.
- Based on the COOP leadership plan (*Section 2, 7.1: Activation and Relocation, Decision Process, page 5*), activate the court's COOP plan.
- Implement communications plan (*Section 2, 7.1: Activation and Relocation, Alert and Notification Procedure and Implementation Process, page 5*).
 - Notify court staff of evacuation and closure.
 - Direct staff with COOP related responsibilities (*reference in guide*) to report to the alternate facility.
 - Contact media and update court website (and other social media) regarding closing.
 - Contact SCAO Regional Administrator regarding closing.
 - Contact local government leadership regarding closing.
- Identify and address alternate facility logistical issues (*Section 2, 7.2: Alternate Facility Operations, Mission Critical Systems and Vital Records, pages 6 and 7*).
 - Implement basic IT needs based on COOP plan.
 - Acquire operational supplies and address other alternate facility needs.
 - Determine physical security needs and contact law enforcement for assistance.
 - Determine how cashier and banking responsibilities will be addressed.
 - Determine how US Mail and packages will be processed in/out of the alternate facility.
 - Ensure vital records are available.
- Determine immediate impact on the court's docket or calendar and contact those affected (such as transferring a criminal docket to the sheriff's department or alternate facility).
- Schedule initial leadership meeting to address all other critical operational/logistical issues (such as in-custody defendant transport/security concerns).
- Establish functional work groups (*Section 2, 7.3: Return to Normal Operations, pages 8 and 9*) to resume essential functions (*Section 2, 5: Essential Functions, pages 3 and 4*) by priority.
- Determine immediate and future (after first 24 hours) staffing needs at the alternate facility.
- Log all staff hours (including for what purpose) and record all expenses to assist with insurance claims or federal disaster claims.

BIBLIOGRAPHY

1. Guilford County, State of North Carolina, *Continuity of Operations Plan Template* (2012), available from Guilford County Emergency Management, PO Box 3427, Greensboro, North Carolina, (336) 641-5481.
2. Ort, John. “Disaster Planning: A View from Michigan’s Highest Court.” *The Judges’ Journal* Vol. 52, No. 4 (Fall 2013): 12-17. Print. Available at http://courts.mi.gov/Administration/SCAO/Resources/Documents/Publications/ABA_Judges_Journal_Fall_2013_Ort.pdf.
3. Supreme Court of Ohio, *The Supreme Court of Ohio Court Continuity of Operations (COOP) Program Guide* (2009), available at <http://supremecourt.ohio.gov/Boards/courtSecurity/COOPGuide.pdf> and *The Supreme Court of Ohio Court Continuity of Operations (COOP) Template* (2009), available at <http://supremecourt.ohio.gov/Boards/courtSecurity/COOPTemplate.pdf>.