



THE SUPREME COURT *of* OHIO

Court Continuity
of Operations (COOP)
Plan Template

2009



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THOMAS J. MOYER

CHIEF JUSTICE

PAUL E. PFEIFER

EVELYN LUNDBERG STRATTON

MAUREEN O'CONNOR

TERRENCE O'DONNELL

JUDITH ANN LANZINGER

ROBERT R. CUPP

JUSTICES

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ADMINISTRATIVE DIRECTOR

ADMINISTRATIVE DIRECTOR'S DIVISION

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ADMINISTRATIVE DIRECTOR

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INTRODUCTION

As events, such as the September 11th terrorist attacks, Hurricanes Rita and Katrina and the September 2008 windstorm that struck Ohio demonstrate, an emergency or disaster can occur suddenly and impact a broad range of individuals and entities. The courts of the state are not immune from the impact of such events. However, the courts' essential duty to dispense justice does not cease upon the occurrence of an emergency or disaster. As a result, the Supreme Court requires each court to develop and implement a court security plan to, in part, prepare for various foreseeable emergencies and disasters that may befall it.¹

An important element in preparing for such emergencies and disasters is addressing the continued performance of essential court functions in the event normal operations at a court's primary facility are disrupted. To this end, a well-designed and comprehensive continuity of operations ("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. For this reason, the Supreme Court requires each court to adopt a written COOP plan as part of its court security plan.²

The Supreme Court Advisory Committee on Court Security and Emergency Preparedness developed this *Court Continuity of Operations (COOP) Plan Template* to provide courts a general direction of the format and different elements of a COOP plan.

The Advisory Committee, with the assistance of the Ohio Emergency Management Agency, also developed the *Court Continuity of Operations (COOP) Program Guide*. The guide, which is available on the Supreme Court's Web site, provides a comprehensive set of step-by-step instructions on establishing a COOP program and developing a COOP plan.

The court should begin the COOP-planning process by reading the *Court Continuity of Operations (COOP) Program Guide* and following the guide's various steps. Once the court is ready to develop its COOP plan, it may use the plan template for additional information and direction.

¹ Sup. R. 9(A) and Standards 2 and 3 of Appendix C of the Rules of Superintendence for the Courts of Ohio.

² Standard 4(A) of Appendix C of the Rules of Superintendence for the Courts of Ohio.

ADDITIONAL RESOURCES

In addition to the Court Continuity of Operations (COOP) Program Guide and this plan template, a court should consult the various additional COOP-related resources discussed below. These resources provide further detail of the topics discussed in the template and can prove helpful to a court in developing its COOP plan.

First, the Federal Emergency Management Agency (“FEMA”) produced the following two documents:

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

Additionally, FEMA also offers two free interactive Web-based courses on COOP planning:

- *IS-546 Continuity of Operations Awareness Course*. This one-hour course provides a brief 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. It is available at:
www.training.fema.gov/emiweb/IS/is546.asp
- *IS-547 Introduction to Continuity of Operations (COOP)*. This five-hour course covers many of the COOP-plan elements discussed in this template, including essential functions; delegations of authority; succession planning; alternate facilities; interoperable communications; vital records and databases; human capital; testing, training and exercises; and plans for devolution and reconstitution. It is available at:
www.training.fema.gov/emiweb/IS/is547.asp

COOP PLAN ELEMENTS

The following outlines sections that should be included in a court's COOP plan.

Section 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.

Section 2. Introduction.

The introduction to the COOP plan explains the importance of COOP planning. The introduction may discuss national and local emergencies and disasters demonstrating the need for COOP planning.

Section 3. Purpose.

The purpose section specifically explains why the court is developing the COOP plan and the overall purpose of COOP planning (i.e., to ensure the continuity of essential court functions). Because of today's changing threat environment, this section should state that the COOP plan is designed to address a variety of threats.

Section 4. Applicability and Scope.

This section begins by describing the applicability of the COOP plan to the court as a whole, including application to the court's primary and secondary functions and to court personnel and facilities, regardless of whether the court's facilities are co-located or geographically dispersed. It also describes how the COOP plan applies to specific court personnel.

The section also addresses the scope of the COOP plan. Ideally, the scope of the COOP plan is broad enough to address the full spectrum of potential threats.

Section 5. Essential Functions.

The essential functions section includes a prioritized list of the court's essential functions (i.e., those functions and activities the court must continue under any

and all circumstances). The following chart may be used to prioritize essential functions.

Priority	Essential Functions
1	
2	
3	
4	
5	
6	
7	
8	
9	
10	

Section 6. Authorities and References.

This section references all COOP-related supporting authorities and materials the court uses in developing the COOP plan. A court also may consider listing applicable references from the Rules of Superintendence for the Courts of Ohio, the Ohio Revised Code, etc.

Section 7. Concept of Operations.

The concept of operations section explains how the court will implement its COOP plan, and specifically, how it intends to address each critical COOP element. The section should be separated into the following three subsections based upon the phases of the COOP plan: activation and relocation, alternate facility operations and reconstitution.

7.1. Phase One: Activation and Relocation

The Phase One subsection explains COOP-plan activation and relocation procedures from the court’s primary facility to an alternate facility. To this end, the Phase One subsection includes each of the following:

A. Decision Process

The decision process portion explains the logical steps associated with implementing 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. The decision process can be described in writing or depicted in a graphical representation.

B. Alert and Notification Procedure and Implementation Process

This portion explains the employee alert and notification procedures and implementation process following a decision to activate the COOP plan.

C. Leadership

This portion explains three leadership-related elements following activation of the COOP plan: orders of succession, leadership and devolution.

1. Orders of Succession

This portion identifies post-COOP-plan activation orders of succession to key positions within the court and 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 of sufficient depth to ensure the court’s ability to manage and direct its essential functions. The following chart may be used to determine orders of succession.

Position Title	Successors
	1.
	2.
	3.
	1.
	2.
	3.
	1.
	2.
	3.
	1.
	2.
	3.
	1.
	2.
	3.

2. Delegations of Authority

This portion identifies, by position, the individuals with authority for making policy determinations and decisions following activation of the COOP plan. Generally, pre-determined delegations of authority take effect when normal channels of direction are disrupted and terminate when those channels resume. Delegations of authority also may address specific competency requirements related to one or more essential functions not otherwise satisfied by the order of succession. Delegations should document any relevant legal authority for making key decisions, identify the programs and administrative authorities needed for effective operations, and establish capabilities to restore authorities upon termination of the event. Pre-determined delegations of authority are particularly important in a devolution scenario.

3. Devolution

The devolution portion addresses how a court identifies and conducts its essential functions in the aftermath of a worst-case scenario, one in which the court’s leadership is completely incapacitated.

7.2. Phase Two: Alternate Facility Operations

The Phase Two subsection identifies the initial procedures taken upon arrival at the alternate facility, as well as the operational procedures for the continuation of the court’s essential functions. To this end, the Phase Two subsection includes each of the following:

A. Mission-Critical Systems

This portion addresses the court’s mission-critical systems (i.e., those systems necessary to perform the court’s essential functions). The court must define these systems and address the method of transferring/replicating them at the alternate facility. The following chart may be used to list the court’s mission-critical systems.

System Name	Current Location	Other Locations

B. Vital Files, Records and Databases

This portion addresses the court’s vital files, records and databases, including classified or sensitive data, which are necessary to perform essential functions and to reconstitute normal court operations after the emergency or disaster ceases. The court should pre-position and update on a regular basis those duplicate records, databases, or back-up electronic media necessary for operation of the court. The following chart may be used to list the court’s vital files, records and databases.

Vital File, Record or Database	Form of Record (e.g., hard copy, electronic, etc.)	Pre-positioned at Alternate Facility?	Hand Carried to Alternate Facility?	Backed Up at Third Location?

7.3. Phase Three: Reconstitution

The Phase Three subsection explains the court’s procedures for returning to normal operations. This section includes procedures for returning to the court’s primary facility, if available. Notification procedures for all court personnel returning to work also must be addressed. Finally, to determine the effectiveness of the COOP plan, the court should conduct an After Action Report.

Section 8. COOP-Related Responsibilities.

This section includes an additional delineation of the COOP-related responsibilities of key court personnel. This includes those individuals identified in the order of succession and delegation of authority. The following table may be used to list the COOP-related responsibilities.

Responsibility	Position

Section 9. Logistics.

This section addresses two logistical issues concerning COOP planning and implementation of the plan: identifying an alternate facility and communication needs.

9.1. Alternate Facility

The alternate facility subsection explains the significance of and requirements for identifying an alternate facility and the advantages and disadvantages of the alternate facility. The court should consider the operational risk associated with the alternate facility. Performance of a risk assessment is vital to determine which location best satisfies the court's requirements.

An alternate facility should provide each of the following:

- Sufficient space and equipment
- Capability to perform essential functions within 12 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.

9.2. Interoperable Communications

This section identifies available and redundant critical communication systems at the alternate facility. These systems should provide court personnel the ability to communicate within and outside the court.

Interoperable communications should provide each of the following:

- 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 12 hours and for up to 30 days
- Interoperability with existing field infrastructures.

Section 10. Testing, Training and Exercises.

This section addresses the court’s COOP-related testing, training and exercises. Courts are required to conduct tests of their COOP manual and plan periodically.³ Additionally, testing, training and exercises familiarize court personnel with their roles and responsibilities following activation of the COOP plan, ensure systems and equipment are maintained in a constant state of readiness, and validate certain aspects of the COOP plan. A court may be creative in its testing, training and exercises by using snow days, power outages, server crashes, and other ad-hoc opportunities to assess the court’s preparedness.

COOP testing, training and exercises should provide each of the following:

- 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 government entities, if appropriate.

Section 11. Multi-Year Strategy and Program Management Plan.

This section discusses how the court will develop a Multi-Year Strategy and Program Management Plan. The plan should be developed as a separate document.

A Multi-Year Strategy and Program Management Plan should address each of the following:

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

³ Standard 4(B) of Appendix C of the Rules of Superintendence for the Courts of Ohio.

Section 12. COOP-Plan Maintenance.

Courts must review their COOP manuals and plans periodically.⁴ 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 section details how the court will ensure the COOP plan is reviewed periodically and contains the most current information.

Section 13. Appendices.

The COOP plan concludes with the following appendices:

13.1. Operational Checklists

The COOP plan includes 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 the following:

- 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.

⁴ Id.

13.2. Alternate Facility Information

This appendix includes general information about the alternate facility. Examples include the address, points of contact and available resources at the location.

13.3. Maps and Evacuation Routes

This appendix provides maps, driving directions and available modes of transportation from the court to the alternate facility. Evacuation routes from the court also are included.

13.4. Definitions and Acronyms

This appendix contains a list of key words, phrases and acronyms used throughout the COOP plan and within the COOP community. Each key word, phrase and acronym should be defined clearly.



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65 South Front Street
Columbus, Ohio 43215-3431
614.387.9000
www.supremecourt.ohio.gov