

Court Continuity

*of* Operations (COOP)

Plan Template

*2015*

The Supreme Court *of* Ohio

Court Continuity of Operations (COOP) Plan Template

2015

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**Table of Contents**

[INTRODUCTION 1](#_Toc223235773)

[ADDITIONAL RESOURCES 2](#_Toc223235774)

[COOP PLAN ELEMENTS 4](#_Toc223235775)

[Section 1. Executive Summary. 4](#_Toc223235776)

[Section 2. Introduction. 4](#_Toc223235777)

[Section 3. Purpose. 4](#_Toc223235778)

[Section 4. Applicability and Scope. 4](#_Toc223235779)

[Section 5. Essential Functions. 5](#_Toc223235780)

[Section 6. Authorities and References. 5](#_Toc223235781)

[Section 7. Concept of Operations. 5](#_Toc223235782)

[7.1. Phase One: Activation and Relocation 5](#_Toc223235783)

[7.2. Phase Two: Alternate Facility Operations 7](#_Toc223235787)

[7.3. Phase Three: Reconstitution 9](#_Toc223235788)

[Section 8. COOP-Related Responsibilities. 10](#_Toc223235789)

[Section 9. Logistics. 10](#_Toc223235790)

[9.1. Alternate Facility 10](#_Toc223235791)

[9.2. Interoperable Communications 11](#_Toc223235792)

[Section 10. Testing, Training, and Exercises. 12](#_Toc223235793)

[Section 11. Multi-Year Strategy and Program Management Plan. 12](#_Toc223235794)

[Section 12. COOP Plan Maintenance. 13](#_Toc223235795)

[Section 13. Appendices. 13](#_Toc223235796)

[13.1. Operational Checklists 13](#_Toc223235797)

[13.2. Alternate Facility Information 14](#_Toc223235798)

[13.3. Maps and Evacuation Routes 14](#_Toc223235799)

[13.4. Definitions and Acronyms 14](#_Toc223235800)

# INTRODUCTION

As events such as the September 11, 2001 terrorist attacks, the 2005 Gulf Coast Hurricanes Rita and Katrina, and the September 14, 2008 windstorm that struck Ohio have demonstrated, 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 impacts 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]](#footnote-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 the 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]](#footnote-2)

The Supreme Court Advisory Committee on Court Security and Emergency Preparedness, with the assistance of the Ohio Emergency Management Agency (“Ohio EMA”), has developed this *Court Continuity of Operations (COOP) Plan Template* to provide direction to courts in developing COOP plans.

additional resources

It is important to note that this template consists only of general guidance and information. Before completing the template, a court should consult the various additional COOP-related resources discussed below. These resources provide further detail of the various topics discussed in the template and can prove helpful to a court in developing its COOP plan.

First, the Federal Emergency Management Agency (“FEMA”) has produced the two following 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](http://www.usaid.gov/policy/ads/100/fpc65899.pdf)

• *Continuity Guidance Circular 1 (CGC 1), Continuity Guidance for Non-Federal Entities*. This document is designed to provide 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](http://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](http://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](http://www.training.fema.gov/emiweb/IS/is547.asp)

Finally, the Ohio EMA, which has produced a COOP plan template for use by state agencies and local governments similar to this template, offers a guide with comprehensive instructions on using the Ohio EMA COOP plan template. The guide also brings together many different source documents to ease the burden of sifting through the literature related to COOP planning. A compact disk copy of the guide is available by contacting the Ohio EMA’s Readiness and Response Branch at (614) 799-3692.

COOP PLAN ELEMENTS

The following outlines the various sections of which the court’s COOP plan should comprise.

## 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 should discuss the key elements of COOP planning and generally explain the court’s implementation strategies.

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## Section 2. Introduction.

The introduction to the COOP plan should generally explain the importance of COOP planning. The introduction also 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 the COOP plan is designed to address a variety of threats.

## Section 4. Applicability and Scope.

This section should begin 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 should also describe how the COOP plan applies to specific court personnel.

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

## Section 5. Essential Functions.

The essential functions section should include 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 chart on the following page may be used as an aid to prioritize the essential functions.

| **Priority** | **Essential Functions** |
| --- | --- |
| 1 |  |
| 2 |  |
| 3 |  |
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## Section 6. Authorities and References.

This section may reference all COOP-related supporting authorities and materials the court used in developing the COOP plan. A court may also 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 should explain 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 should explain COOP plan activation and relocation procedures from the court’s primary facility to the alternate facility. To this end, the Phase One subsection should include each of the following:

A. Decision Process

The decision process portion should explain the logical steps associated with implementing the COOP plan and the circumstances under which the plan may be activated (both with and without warning). It should also identify 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 should explain the employee alert and notification procedures and implementation process following a decision to activate the COOP plan.

C. Leadership

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

##### 1. Orders of Succession

This portion should identify 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 chart on the following page may be used as an aid to determine orders of succession.

| **Position Title** | **Successors** |
| --- | --- |
|  | 1. |
| 2. |
| 3. |
|  | 1. |
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|  | 1. |
| 2. |
| 3. |
|  | 1. |
| 2. |
| 3. |

##### 2. Delegations of Authority

This portion should identify, by position, the individuals with authority for making policy determinations and decisions following activation of the COOP plan. Generally, pre-determined delegations of authority will take effect when normal channels of direction are disrupted and terminate when these channels have resumed. Delegations of authority may also be used to 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 may be particularly important in a devolution scenario.

##### 3. Devolution

The devolution portion should address how a court will identify and conduct 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 should identify 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 should include each of the following:

A. Mission Critical Systems

This portion should address 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** |
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B. Vital Files, Records, and Databases

This portion should address 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., hardcopy, electric, etc.)** | **Pre-positioned at Alternate Facility?** | **Hand Carried to Alternate Facility?** | **Backed Up at Third Location?** |
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### 7.3. Phase Three: Reconstitution

The Phase Three subsection should explain the court’s procedures for returning to normal operations. This section may include 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 consider conducting an After Action Report.

## Section 8. COOP-Related Responsibilities.

This section should include 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** |
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## Section 9. Logistics.

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

### 9.1. Alternate Facility

The alternate facility subsection should explain the significance of and requirements for identifying the alternate facility and the advantages and disadvantages of the alternate facility. The court should take into consideration the operational risk associated with the alternate facility. Performance of a risk assessment is vital in determining which location will best satisfy 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, 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 should identify available and redundant critical communication systems located at the alternate facility. These systems should provide court personnel the ability to communicate within and outside the court.

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| **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 should address the court’s COOP-related testing, training, and exercises. Courts are required to periodically conduct tests of their COOP manual and plan.[[3]](#footnote-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 its testing, training, and exercises by using snow days, power outages, server crashes, and other ad-hoc opportunities to assess the court’s preparedness.

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| **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.** |

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

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

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| --- |
| **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.** |

## Section 12. COOP Plan Maintenance.

Courts must periodically review their COOP manuals and plans.[[4]](#footnote-4) Additionally, key evacuation routes, roster and telephone information, and maps and room/building designations of alternate facilities should be updated as changes occur. The COOP plan maintenance section should detail how the court plans to ensure the COOP plan is periodically reviewed and contains the most current information.

## Section 13. Appendices.

The COOP plan should conclude with the following appendices:

### 13.1. Operational Checklists

The COOP plan should include 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. Telephone C

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| **A checklist is a simple tool that ensures all required tasks are accomplished so the organization can continue operations at an alternate location. A sample operational checklists may include 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.** |

### 13.2. Alternate Facility Information

This appendix should include 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 should provide maps, driving directions, and available modes of transportation from the court to the alternate facility. Evacuation routes from the court should also be included.

### 13.4. Definitions and Acronyms

This appendix should contain 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 clearly defined.

1. Sup. R. 9(A) and Standards 2 and 3 of Appendix C of the Rules of Superintendence for the Courts of Ohio. [↑](#footnote-ref-1)
2. Standard 4(A) of Appendix C of the Rules of Superintendence for the Courts of Ohio. [↑](#footnote-ref-2)
3. Standard 4(B) of Appendix C of the Rules of Superintendence for the Courts of Ohio. [↑](#footnote-ref-3)
4. Id. [↑](#footnote-ref-4)