



# **DISASTER RECOVERY PLANNING FOR COURTS: A Guide to Business Continuity Planning**

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# DISASTER RECOVERY PLANNING FOR COURTS: A Guide to Business Continuity Planning

*"Failure to plan means planning to fail." Brian Tracy*

## INTRODUCTION

Earthquakes, floods, power outages. These kinds of disasters can shut down government and wreak havoc on cities and towns. How can courts and justice agencies deal with these issues? These questions and others are addressed in the National Association for Court Management's (NACM) 2000 mini-guide, *Disaster Recovery Planning for Courts: A Guide to Business Continuity Planning*.

**Scope of the Mini-Guide.** As the world watched expectantly for the calendar to change from 1999 to 2000, much behind the scenes work was underway in courts and justice agencies across the world. Preparing for the possibility of automated system failures, court staff put processes in place to keep courts operational through the Y2K transition, even if it meant on an emergency basis. A guide like this might have been a helpful tool, had it been available. Even now, with Y2K issues put at rest, man-made disasters like computer viruses threaten court operations, as do natural disasters. Although this guide is not exhaustive, it is a compendium designed to assist judges, court managers and staff step through the planning process to prepare their courts to keep business operations up and running, even in a disaster. Included in the guide are actual disaster case studies from jurisdictions across the country.



**Disaster Defined.** *Webster's New Collegiate Dictionary* defines "disaster" as "a sudden calamitous event bringing great damage."

In the case of the court, this definition implies damage to the facilities: flooding, loss of power, structural or smoke damage, computer downtime, loss of communications, etc., all of which in turn affect mandated court processes.

**What is Unique About Courts?** Good question. Courts are not hospitals. They are not power companies. They are not police or fire departments. They are not responsible for garbage collection. Courts are not the first institution one thinks of during a disaster. However, as attested by court officials that have experienced disaster first-hand, court operations are essential to an orderly

society. An extended disruption in court business can have “disastrous” consequences.

Because statutes and court rules set time limits for many court actions, delay is the court's enemy. Disaster or not, a court must continue to support local justice systems by holding mandated hearings, issuing warrants and court

orders, enforcing emergency orders, etc. The import of advance decisions about which court operations are essential in light of statute and rules, and the need for creative-thinking on how to conduct hearings during and post-disaster, are part of the disaster recovery planning process which is the subject of this guide.

## 1: THE PROCESS OF PLANNING

**Goal: Disaster Prevention.** While not even the best plan or planning process can prevent either a natural or man-made disaster, courts with a plan in place are more apt to continue to serve the community through crisis than are courts caught unprepared. Further, courts with contingency plans will in all likelihood experience much faster recovery of information systems and critical services. Continuing court business both during and after a disaster requires not only creating a disaster recovery plan, but also stress testing of the plan with clear guidelines for plan implementation.

There is much literature on this subject; a list of references on disaster planning is included in this guide. Many suggest that an organization plan for the worst disaster conceivable and then use parts of that plan for less catastrophic business disruptions. Whether that is the approach a court chooses will depend upon a number of factors unique to its situation. What is important to remember here is that while neither the planning process nor the resultant plan will prevent a bad turn of events from affecting court operations, both the process and the plan lessen a court's risk of an extended interruption in service to the community.

**Establishing a Planning Team and Point Person.** One of the first considerations is deciding who should be on the disaster planning team. Consider the role of the court's judicial leadership and senior court managers. Is the role advisory? Is it supportive? How do they fit?



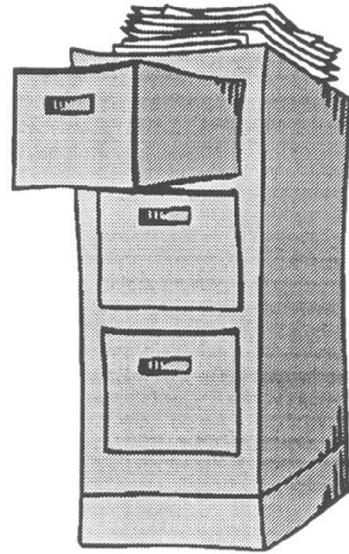
The role of Disaster Team Coordinator is reserved for the person in charge of coordinating planning aspects of the disaster recovery process, with authority vested from court leadership. The planning team itself will be inclusive, with members from the various departments within the court as well as the entities with which the court most frequently interacts. These may include members from county management, the clerk of court's office, the management information systems department, judicial staff, court security, facilities

management, the library, prosecution, indigent defense and perhaps the jail.

Consider too who is responsible for making decisions that will affect the court in times of disaster. Decision-making may be shared, with primary roles for the presiding judge, clerk and court administrator working in concert with local government, state court leadership and emergency management. As the team works together to develop and test plans and emergency processes, positional and relational authority may become an issue. It is better to establish clear boundaries about who is responsible for which decisions during the planning process than to waste precious time during a crisis battling over turf issues. The earlier in the process a "point person" is identified - either as ultimate decision-maker or as linkage to—the less confusion in both the planning and recovery processes.

**Risk Assessment.** One of the early tasks of the planning team is development of a risk analysis identifying potential impacts on the court, given a range of possible disasters. In an article by Geoffrey H. Wold in *The Disaster Recovery Journal*, he says:

Each functional area of the organization should be analyzed to determine the potential consequence and impact associated with several disaster scenarios. The risk assessment process should also evaluate the safety of critical documents and vital records... It is important to assess the impacts and consequences resulting from loss of information and services.

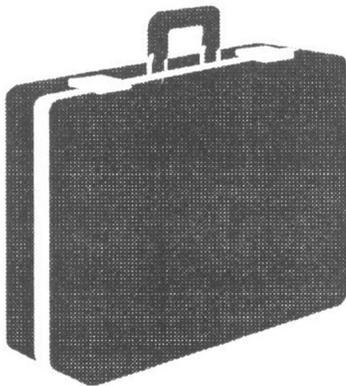


**Essential Functions.** Another issue to address early in the planning process is identification of the court's critical services or essential functions. Until these services are agreed upon, it will be difficult to determine how many people are required to perform these tasks and what physical resources are needed. If equipment has been destroyed, the plan will identify a local supplier to provide replacements. The team will identify services that can be provided if computers or other equipment upon which the court relies cannot be replaced immediately, as well as how and by whom these services will be performed. In other words, stripped down, what is the court's primary business objective, and how can the court focus on and meet this objective until the crisis is over.

**Securing Facilities.** Planning will address alternative locations for the court to conduct business. In the event of real emergency, the damage assessment would be required quickly, with coordination among local public safety authorities - quite possibly with the National Guard in severe cases. Thinking about alternative sites for court

operations before a disaster that makes a court facility unusable may translate into days or weeks saved later on. Suggested temporary locations might include other government buildings, churches, schools, gymnasiums, convention centers - even restaurants! The disaster recovery committee should identify these facilities as part of the plan and also enter into agreements - possibly formal intergovernmental agreements—with the host entities.

The "black bag" concept - portable storage of essential forms, supplies and computer disks - serves courts well. In the event court business must be temporarily conducted outside court facilities, communicating responsibility for grabbing the black bag, and keeping the contents current, is an important aspect of the planning process.



**Management Support.** Because every employee needs to know where to go and what to do in the event of an emergency, the best planning will include the people on the front lines who get the work done. It is not acceptable for court leadership to write a plan and stick it on a shelf, or for staff to wring its collective hands and wait for a disaster to happen. Ideally, court leadership will

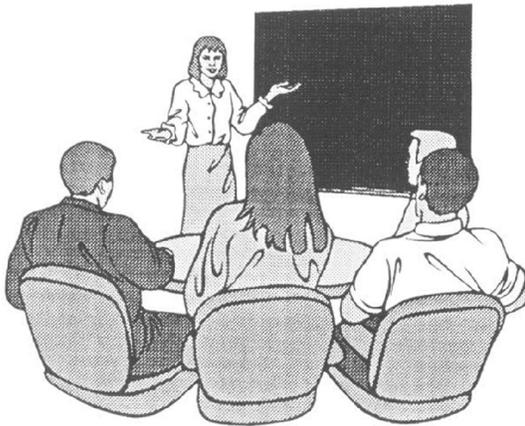
convey the importance of both the planning process and the plan to court staff throughout. This may be reflected in a variety of ways:

- Delegation of responsibility, with resultant authority, in the planning committee structure and the planning coordinator;
- Recognition of workload constraints during the plan development process;
- Courtwide involvement at all levels during the testing phase;
- Establishment of processes to ensure continuous participation to keep the plan up-to-date; and
- Regular updates on the planning process and emergency procedures via memo, newsletter, intranet, etc.

Court leadership's role might best be described as project oversight, e.g. establishing the initial planning committee, appointing the chair, conveying expectations and leaving the details to others. The chair is responsible for making sure that the planning committee has regular meetings, that it holds the required fire drills and meets other safety requirements. Finally, court leaders must take direct responsibility for making sure that all levels of management know what is covered in the disaster plan and what their role is in the event of a disaster. Court management that provides little or no direction to staff tasked with planning, sends a mixed message. If disaster planning is important, and the plan itself is to be useful should a disaster hit, a strong message conveyed by court leadership will support the efforts in plan creation.

## 2: PLAN TESTING

**Dress Rehearsal.** Courts that rehearse and test their Disaster Response and Recovery Plan may use a method known as a "tabletop exercise." The tabletop exercise serves as a tool to bring court staff and representatives of court-related agencies together for a discussion of how they would respond to a specific disaster scenario. Participants include members of the planning team, as well as others key to court operations, meeting together to talk about what steps they will take in a specific type of disaster. The testing process will include representatives from outside agencies and anyone with potential to be substantially affected by the court's disaster response.



Typical objectives of a tabletop exercise are to:

- test the plan for effectiveness;
- check the process for efficiency;
- confirm roles and responsibilities;
- review the procedures for ease of response;

- improve the process by lessons learned; and
- serve as training for the participants.

Further tests may be warranted for specific critical functions within the court. For example, holding a mock arraignment without lights and electricity will demonstrate the resources required in a power outage.

See Appendix A for the Oregon Judicial Department's disaster planning tabletop exercise rehearsed in the fall of 1999. In short, this exercise imagined a snowstorm on New Year's Eve, with power outages, jammed telephone systems, local rioting and, on New Year's Day, a computer virus corrupting data in state government computers.

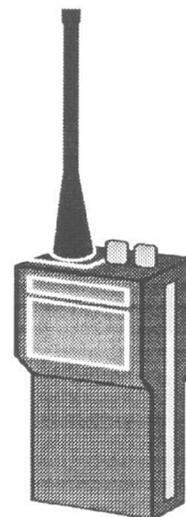
**Executing the Response.** As testing is implemented, it will be critical for everyone involved to know who is responsible for executing the response as a disaster scenario is played out. The plan will list the people who will decide which functions of the court will be maintained in the event of a disaster. This may include the presiding judge, court managers, a facilities person, a computer person, a public information person, and an emergency services person. The people on the list tasked with making the initial decisions and determining the appropriate response to a disaster are key players in a test. A contact list, included in the plan, should be widely distributed so that in the event of a real emergency, no time is wasted in getting to the key contacts. An example form is included.

*Example Form:*

| Disaster Response Team Contact List |                                  |              |                                   |
|-------------------------------------|----------------------------------|--------------|-----------------------------------|
| Name                                | Title                            | Office Phone | Home Phone<br>(confidential list) |
|                                     | Presiding Judge                  |              |                                   |
|                                     | Court Administrator              |              |                                   |
|                                     | Court Manager                    |              |                                   |
|                                     | Facility/Security<br>Coordinator |              |                                   |
|                                     | Computer (IT)<br>Coordinator     |              |                                   |
|                                     | Public Information<br>Officer    |              |                                   |
|                                     | Emergency Services<br>Manager    |              |                                   |

**Communications.** Because timely communications are so critical, internally and externally, to a court's organization in time of disaster, the testing process may pay special attention to the "whatever can go wrong, will go wrong" rule. Assume the contact is unavailable. Then what? The example form provides for alternative routes of communication in the event of a disaster. The plan relating to communications will identify everyone who will need to be informed before, during, and after a disaster event. Outside agencies, judges, and court staff are groups that need to know the status of court operations. If electricity or telephone service is interrupted or unavailable, alternative methods of communication should be available, such as two-way radios. Are

supplies readily available for creating signs to keep the public informed?

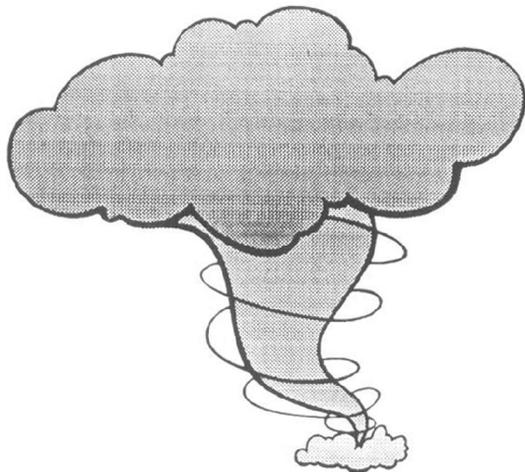


Example Form:

| People to Contact Before, During and After a Disaster |                |                             |  |
|---|----------------|-----------------------------|--|
| Organization  | Contact Person | Primary Contact Method      | Alternative Contact Method                     |
| Law Enforcement                                       |                | Telephone,<br>(XXX)XXX-XXXX | Walk   |
| Jail  |                | Telephone                   | Pass message through Law Enforcement           |
| Media   |                | Telephone, Fax or e-mail    | Walk or make arrangements with reporter        |
| List of Judges  |                | Telephone                   | Sheriff will drive to courthouse, if necessary |
| List of Court Staff                                   |                | Telephone Tree              | Media  |

### 3: DEALING WITH DISASTER

**Characteristics of a Disaster.** There are many different kinds of disasters, both natural and man-made. Courts can be hit hard when nature throws floods, earthquakes, fires, tornadoes, hurricanes, and snow-collapsed roofs in their paths.



Man-made disasters in the form of arson, bombs, flooded plumbing and sabotaged computer data or networks affect courts as much as any other business. The longer it takes to reopen a court to the public following a disaster, the greater the interruption in delivering critical, mandated court services. A clear-cut, widely disseminated disaster recovery plan is critical to help minimize court downtime and resume normal business operations as quickly as possible.

Although many organizations assume that disasters cannot happen to them, statistics tell another story. In 1997, huge floods in the Midwest displaced over 100,000 people from their homes and places of business and caused over \$1 billion in damages. Recent earthquakes in San Francisco shut down

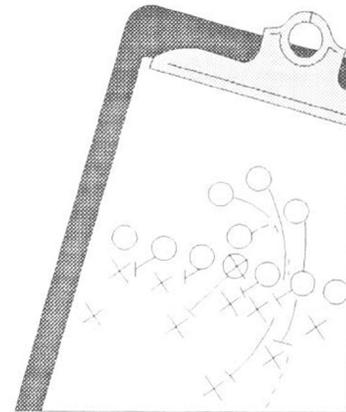
parts of the city for days, and Hurricane Andrew wreaked havoc on Southern Florida. In addition to these major disasters, courts are just as likely to be affected by local disruptions—such as a fire, a bomb, or a computer outage—that may impact only court business. Localized or not, certain characteristics of a disaster are to be expected:

**Shock and Chaos.** Typically, mass confusion is the first thing to occur when a disaster hits. In a natural disaster, court personnel are more likely to care about their own families and property rather than the business of the court. Even those who usually perform well under pressure may be unable to respond with creative solutions when affected personally by a disaster. To avoid panic and resultant bad decisions, it is just plain good business for a court to have a well thought out, easy-to-follow disaster plan in place and rehearsed before it is needed.

**Loss of Control.** A primary characteristic of disaster is loss of control. Not only is the normal flow of court operations disrupted, but, depending on the scope of the disaster, many businesses that courts rely upon may be unable to assist due to their own disaster-impaired operations or high demand. One way to ensure service from support vendors in a crisis is to establish a solid relationship, not to mention a written contract including emergency service provisions, before a crisis occurs. By agreeing on service response times and supplies in writing, a court may increase its likelihood of priority treatment by vendors over customers who have not planned ahead. Another possibility is to identify alternate vendors or suppliers as a back-

up for critical products and services during a disaster event.

**Insufficient Information Flow.** Inadequate communication is one of the most frustrating elements seen during a disaster. Without a clear-cut method of disseminating news and information among decision-makers, court employees and the press, resumption of court business becomes an even greater challenge. The contingency plan must specify means of electronic communications, protocols, etc.



**Awareness.** A disaster plan will be of little value to a court if it is created in a vacuum and filed in a drawer. When creating a plan, the planning committee should include people from various levels and departments within the organization in order to get a complete picture of what it takes to conduct the essentials of daily court operations. Everyone in the court organization needs to be aware that a plan exists and have access to a copy. All staff should have training and access to tools needed to implement those aspects of the plan for which they are assigned responsibility.

Once a plan is in place, periodic tests will ensure that staff training is adequate. At least once a year, the plan

should be reviewed and all departments consulted to incorporate revisions. It is critical that court personnel view the disaster plan as an up-to-date work in progress.

**Command Center.** In a crisis, the role of a command center is to coordinate recovery efforts by assessing damage, assigning tasks and tracking progress. Where is the command center? Who is in charge? A thorough plan will include multiple sites and leaders. The first choice of site may be someplace in the court facility; however, depending upon the damage, a second or alternative site may be more practical. Alternatives may include other local government buildings or associations. The ideal command center will be centrally located and house desks, phones, computers, faxes, printers, photocopy machines and a bulletin board to track critical tasks. The plan will address how supplies and equipment for a command center are to be obtained.

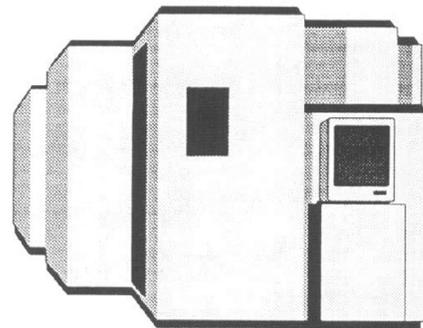
Once a command center is operational, assigned staff will report on a regular basis, either by phone or other means of communication agreed upon ahead of time.

**Notification Process.** A "phone tree" will dictate who needs to be contacted first and who is responsible for making the calls. Court staff and Security will need a copy of a phone list that includes home phone numbers, cellular phone numbers, pagers, and other points of contact. The court's central contact will need either a cell phone or two-way radio in the event that regular phone service is out of order. An element of planning will include a process to keep the phone tree current. Key contacts will

be responsible for communicating with others in their departments. For each person on the list, include an alternative contact in the event the key contact cannot be reached.

If the disaster renders the local phone system inoperable, the court must resort to other means to notify staff. For example, local law enforcement may be able to contact personnel or cellular phones may work when the disaster has damaged the ground phone lines. The court may also work with the media to keep staff and the public informed.

**Salvaging and Restoring Records.** Most courts rely upon computers to store case and financial management records.



Under certain disaster scenarios, access to electronic data is limited or non-existent. Until full recovery, those courts must rely upon manual processing and record keeping. Even those courts that are not fully computerized may have to make significant changes in their processes if access to paper records is compromised.

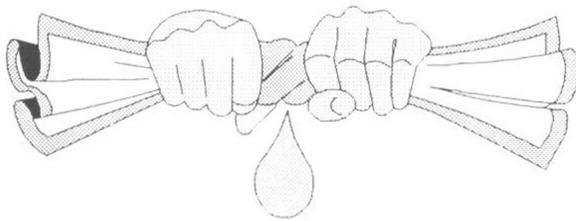
First, the courts should document their business processes and determine which are essential. Next, the court should determine how these processes could be performed manually. The court needs to assume that, at some time, they will

return to normal processing and these records will have to be merged with the pre-disaster records. Perhaps, as a temporary measure, the court could print hardcopies of the most basic court records (e.g. active case register and current financial accounting reports), or use laptop computers and download the data later to the restored court system.

Courts store their information on several different media: paper, microfiche, microfilm, optical, magnetic and other electronic media. Each of these has different requirements for protection, salvage and restoration.

If a court cannot salvage records, it must find some other means of replacing this information. When a court in Los Angeles County lost all of its records to fire, it used the District Attorney's records to partially replace case information. If a justice system is truly integrated, parts of the court record may reside with one of the other justice partners.

**Paper.** Fast action is required to salvage paper records damaged in a fire by water.



Mold quickly begins to destroy wet paper. The plan will identify experts to contact with this area of expertise. Although a number of articles document the necessary steps to restore sodden records, should the court decide to undertake this recovery process, additional personnel will be required.

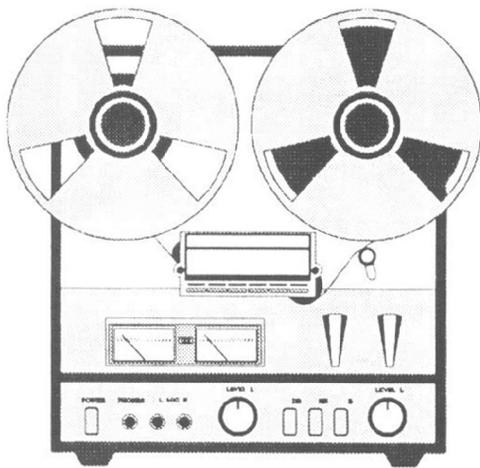
This would require identification and training of personnel and transportation to the court site for salvage efforts to begin within 24 hours of water damage. Courts that are current with disposal of records in accordance with their retention schedules don't have to worry about wasting time and resources in salvaging records whose value has expired.

**Microfiche.** Damage to microfiche records can be alleviated through a microfiche recovery service. The plan will address contacts with this area of expertise. One of the strong features of a microfilm program is security since the original film should be stored in a secure, off-site, environmentally controlled facility. Simple duplication to replace the damaged film may be an inexpensive and simple alternative to microfiche recovery services.

**Electronic Records.** As a matter of sound business practice, a data center should never lose more than one day's worth of information unless the disaster affects a very large geographic area. Experienced data center directors, as a matter of course, arrange for off-site storage of the electronic data. Even if the court's computer center were completely destroyed, off-site back-up will make possible restoration of electronic records as soon as replacement equipment can be located and installed. As computer operations are normalized, data entry of interim manual records may begin. Note the need for orderly shut down of data systems to preserve data, using back-up power generators and battery systems. These systems are costly, but well worth it. Note also remote storage of back-up

data tapes and diskettes with critical applications and database.

**Other Records.** Audio tapes, court reporter notes, financial and child support payment records, personnel records, bail records, evidence - many of these are one-of-a-kind, irreplaceable records which, if lost, could affect appeals and further prosecution of court cases. Exhibits in an active trial cause particular concern. How does the plan address their protection in an emergency evacuation?



**Preserving Assets.** A significant loss of assets can be anticipated as a result of a disaster. Damage may occur to the court building structure, and books, furniture, files, computers and other electronic equipment may be damaged either by the disaster or in the process of combating it. To help mitigate the loss of assets, work with the fire department in advance to show their staff where computer and file rooms are located. There are alternative methods of fire suppression less harmful to paper records and electronic equipment. It is critical that these rooms be clearly marked.

Plan for a loss of court records and significantly reduced employee

productivity. The longer it takes to recover from the disaster, the greater the cost, so having a comprehensive disaster plan in place can save money in the long run. Plan for how the court will cover costs associated with a disaster, with multiple solutions and an internal backup plan.

**Staffing Issues.** Depending on the nature of the disaster, a court can expect to be short-staffed, at least in the short run, as court staff address urgent personal and family matters associated with the disaster. In planning to strip down to essential functions, look closely at how the court operates. What staff is needed to keep the court operational at the most basic levels of service? Address essential tasks and personnel in the disaster plan, and prepare staff to step into those roles if needed by cross-training.

Essential personnel will work long hours. It is good management to have an understanding, in advance, with staff about overtime or comp time, break times and other work conditions, communications with their families, etc. during times of disaster and disaster recovery. Consider the impacts of FSLA, ADA, OSHA and governing union contracts on staffing during time of crisis.

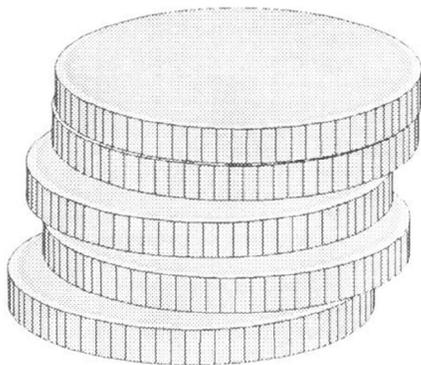
Depending upon the nature of the event, court personnel may well be preoccupied with coping with their own family and property, with court business a lesser priority. In that eventuality, a court may need to bring in counselors trained in crisis intervention. A comprehensive plan will include contact information in this area. Another aspect of a court's plan may consider how the court can

help its employees and the community in time of a major natural disaster.

**Damage to Reputation.** As all available time and energy is devoted to recovery efforts, expect a disruption in "pet projects" and in the high level of service delivery a court normally takes pride in. By having a good disaster plan in place to deal with contingencies and the press, damage to the Court's reputation can be minimized. Minimize the damage with good coordination among court leaders, the command center and the court's public information office. A comprehensive disaster plan will include how best to deal with the media - making initial contacts, how, when and what kind of information may be released.

**Cost.** The cost of not dealing with a disaster effectively can be tremendous. According to the Winter 1997 issue of *Disaster Recovery Journal*:

- For each hour of unscheduled downtime, 355 worker hours were lost
- Major businesses lost 38.1 million work hours, or \$444 million in wages annually



In courts, delay in caseflow can result in loss of revenue. A lengthy business interruption that prevents litigants from pursuing their remedies in court may delay delivery of justice. As attributed to William Gladstone, Prime Minister of England, in 1868, and often quoted by Professor Ernie Friesen, "Justice delayed is justice denied."

**Safety Procedures.** Every court, regardless of how well developed its disaster plan, must have emergency evacuation procedures. An evaluation of the facility by the fire department will be part of an effective evacuation plan. Regular fire drills with assistance by court staff, trained as floor wardens, are an important part of the evacuation process. Location of main power sources and lists of emergency contacts should be documented. Cross training of essential features of the plan will help to ensure that on-duty staff is prepared in the event of emergency.

**Business Recovery Insurance and Services.** Another critical part of the disaster planning process is examination of the Court's risk management and insurance coverage. Insurance coverage is often the responsibility of the "host" government, e.g. county or state or federal, and these units may be self-insured. Is the court's inventory documentation of its furniture and equipment up to date? Many insurance carriers will provide additional insurance to ensure that insurance policies cover clean-up costs and loss of employee time. Work with your insurance carriers and host government officials to develop a comprehensive risk management plan. Consider adding in the cost of data recovery, and clearly spell out what

vendors may be used in the recovery process.

The plan may facilitate contracting with disaster recovery service providers before they are needed. Clearly, the morning after a disaster is not the time to search for wet-vac suppliers, pumping equipment, etc. A disaster plan will include a list of vendors with whom the court is experienced and with whom it may conduct business. This is especially important if a court has rules in place as to which companies it is allowed to work with.

**Public Relations.** A comprehensive disaster planning process will include

guidelines on who is authorized to speak with the media and what information the court wants released.

The plan may also include ideas for community outreach. If it is an all encompassing disaster, is there any role the court might play in assisting the community? By taking an active role in assisting with the overall recovery, the court will garner good public relations and likely raise the morale of its own employees. The court must determine in advance how much time and energy to devote to assisting the community and have a few plans that can be put into place depending on the nature of the disaster.

#### **4: RECOVERY AND RESTORATION: A SAMPLE PLAN**

If disaster recovery plans were one-size-fit-all, NACM could design a template, post it on a web page, and courts could simply fill in the blanks. Realistically, even though there are many similarities in court business processes, the generic approach is not practical given the wide range of differences in courts and

supporting operations. However, the following is a sample plan taken from the Arizona Supreme Court's Recovery Guide for its automated systems. Although not a substitute for individual court planning, this sample document illustrates a useful approach to the restoration management process.

#### **SAMPLE DISASTER RECOVERY PLAN Used by Permission of Arizona Supreme Court**

##### **Executive Summary**

The [title of Disaster Recovery Manual] has been developed to document tasks, support and materials needed should a disaster situation impact the data processing facilities at the [location of court]. The plan takes effect when an emergency beyond the scope of standard operating procedures occurs. It is designed to reduce confusion created during a disaster and provide a framework for recovery and restoration of the court's electronic business applications.

The plan addresses the attributes of a disaster situation, problems they present and responses to common dilemmas. Planning efforts concentrate on tasks required to reduce or eliminate the impact of a disaster on the court's electronic business applications,

prevent escalation, limit its duration, and maintain an orderly return to a stabilized processing environment.

Elements of the plan are tested periodically by way of war-room evaluation and off site recovery center, referred to as a HotSite. Modifications to the plan are made regularly based upon test results, as well as changes to hardware, software applications, procedures and personnel. The plan document is stored electronically, backed up and saved off site, and distributed in paper form to authorized individuals.

### **Plan Scope**

All operating and network systems residing in the [location of court complex] are included in the plan. Recovery of the court's operating and network systems is subject to existing business impact analysis details that dictate the priority and schedule for an orderly restoration process.

### **Plan Approach**

To reduce the impact on resources needed to create an all-inclusive recovery manual, the plan development process is accomplished in stages. The recovery coordinator gathers detailed information for the plan documentation or delegates such tasks to team members if their expertise is required. As the appropriate plan information is collected, it is reviewed for accuracy and approved by team members. Whenever new or revised information is entered into the plan, a notification is sent to management and all team members.

Management from the court's Information Technology Department (ITD) will identify business applications and recommend recovery service contracts based upon existing business impact analysis details and the availability of funds.

Information relative to the recovery manual, which previously resided on various systems in various formats, has been transferred onto the court's local area network (LAN) and formatted with standardized software to eliminate redundancy and establish consistency. Information associated with all system operating instructions and procedures is located [identify the drive and address]. Each operating system has an associated directory designed and documented to insure consistency and ease of use.

### **Policy Statement**

It is the policy of the [department/court] to provide a comprehensive disaster recovery plan to protect its information assets, assure employee safety, and provide continued service to customers. The plan will provide for reestablishment of essential telecommunications and data processing services as well as priority electronic business systems to minimize the court's operational and fiscal impact of an unforeseen event.

### **Mission Statement**

The [name of planning committee or team] is empowered to provide the court with a process to assure availability of essential ITD services judged as strategic business needs

for the [name of court]. The [committee/team] is charged with developing procedures and plans to:

- Gain control of problem situations early;
- Prevent an operational outage from significantly impacting customers and users;
- Gather critical information into a central repository;
- Reduce risks to essential information resources;
- Make decisions in advance of a crisis; and
- Test often.

### **Objectives**

- Continue business operations that are dependent on the court's data center in order to maintain services for the courts, citizens and employees of the state of [identify].
- Provide ability to initiate restoration procedures of critical data processing and telecommunications capabilities within twelve hours following a declared disaster.
- Restore critical operating systems and telecommunications functions within twelve hours of receiving access to an alternate recovery center.
- Restore critical production applications within twelve hours after the availability of the operating and telecommunications functions.
- Achieve each of the above objectives in a timely, efficient and cost effective manner.

### **Distribution and Maintenance**

The [name of department/court] is responsible for development, maintenance, distribution and testing of the recovery plan. These activities will be assigned to various individuals or groups within the department with overall responsibility for coordination of the activities assigned to the [position].

The Recovery Plan is a restricted document and classified as confidential given the nature of the contents. Each individual with a copy of the plan is responsible for security and control of the document in accordance with policies for the protection of proprietary information.

The [position] is responsible for authorized distribution of the Recovery Plan and maintains a master distribution list. Each authorized copy of the plan will contain a version identification number and the recipient will be recorded on the distribution list.

Full copies of the plan will be provided to [list]. Partial copies of the Recovery Plan may be distributed to [name of committee/team] members and will reflect plan details associated with the responsibilities of their assigned squad(s). Additionally, the [position] will maintain two working master copies on-site and one electronic copy off-site.

### **Recovery Team Organization**

Because an unexpected interruption in court business systems may occur at any time requiring a coordinated response, each occurrence will require a managed approach that fosters consistency of effort and reduces the escalation of damage. The Recovery Team is organized to address all issues related to an emergency and authorized to make all decisions relative to recovery efforts. Specific team members are assigned to manage these efforts, and the team is also staffed with members capable of performing varied tasks. The team itself is made up of squads designed to handle a specific set of tasks to be accomplished before, during and/or after an emergency situation.

Team members have three types of roles: Team Manager, Squad Leader and Team Staff. Team managers, who are at the apex of the organizational structure, assign personnel to staff the squads necessary to address emergency situations. Multiple roles are sometimes unavoidable based on available resources, emergency conditions and time constraints. Alternates are assigned as back-ups for manager and leader positions to reduce the possibility of a vacancy in the command chain.

The primary squad is Recovery Management, with total functional responsibility for all recovery planning activities. The Resource Squad represents a pool of personnel available for permanent or temporary assignments to support recovery planning efforts and activities. Every [court/department] employee is automatically assigned to the Resource Squad when not assigned to another.

### **Methodology**

The development of the Recovery Plan endorses four disciplines.

Risk Reduction: Address issues to minimize or eliminate exposures that have the possibility of creating a disruption or interfering with a recovery.

Response: Determine the initial reactions necessary to assess the damage or impact of an emergency situation and the activities required to maintain control.

Recovery: Create resumption plans that support the transition from short term to long term needs that deal with the transfer of operations, time sensitive business applications, and the return back to the primary facility.

Reconstruction: Establish procedures for repairing or relocating the primary site, for migrating operations from recovery site to primary facility, for stabilizing to normal processing mode, and for recording and reporting recovery activities.

### **Disaster Declaration Process**

Authority to declare a disaster is a crucial element of the plan and is assigned to a restricted number of individuals within the agency. The absence of these individuals could jeopardize the effectiveness of the recovery plan if the declaration process is delayed. Authorized members are: [list]. This procedure is verified periodically for accuracy and improvements.

## **RECOVERY STRATEGY**

[Name of Department/Court] has a contract with [name of vendor] for hardware replacement of equipment located in the court's data center. Replacement equipment can be shipped to the location of the court's choice depending upon the availability and accessibility of the court's facility. Based upon the extent of a disaster situation, it may be necessary to obtain an alternative processing site. Access to, and location of alternate sites are documented in agreements or contracts as they become available. Strategies for recovery are based upon the range of recovery services available at the time of impact.

### **Strategy #1 - Facility intact.**

When damage to hardware is incurred at the court's data center, in whole or part, an assessment of that damage will determine if the hardware vendor or [hardware replacement vendor] is needed to replace equipment.

### **Strategy #2 - Data Center damaged.**

When damage to the data center is incurred, an assessment will determine if operations can resume or an alternate facility must be used. It is estimated that construction and preparation of a new room on site would take approximately six months to complete.

### **Alternate Facilities**

[Specify facilities]

## SQUADS - MEMBERS - DESCRIPTIONS - RESPONSIBILITIES

The following charts identify each of the [court/department] squads by individual position member, the members' roles and their varying responsibilities. Members of each team will vary, depending upon the situation. The members themselves will determine which position takes on which role, and the team members will collaboratively make decisions with regard to members' responsibilities for assignments.

**Recovery Management:** The Recovery Management team is responsible for coordination of activities of all recovery squads, approval of all financing, planning and dissemination of information.

| Recovery Management Team Members  | Roles assumed by team members   | Responsibilities assigned by team members to team members   |
|---|---|---|
| <ul style="list-style-type: none"> <li>▪ Operations Manager,</li> <li>▪ Support Center Manager,</li> <li>▪ Security Administrator,</li> <li>▪ Network Manager, and</li> <li>▪ Application Development Manager.</li> </ul> | <ul style="list-style-type: none"> <li>▪ Team Manager,</li> <li>▪ Alternate Team Manager,</li> <li>▪ Staff</li> </ul> | <ul style="list-style-type: none"> <li>• Assigns staff to squads; initiates team activation; notifies management, vendors and customers; authorizes HotSite and recovery services notification; and authorizes disaster declaration.</li> <li>• Maintains and supplies up-to-date information concerning recovery activities to H/R, Public Relations, Finance and Senior Management.</li> <li>• Determines recovery strategies and manages reconstruction efforts.</li> <li>• Assesses monetary requirements and authorizes emergency procurement, purchases and cash disbursement.</li> </ul> |

**Damage Assessment:** The Damage Assessment team is responsible to assess and report facility, hardware and records damage, and to oversee reconstruction of the primary data center.

| <b>Damage Assessment Team Member</b>   | <b>Roles assumed by team members</b>  | <b>Responsibilities assigned By team members To team members</b>  |
|--|---|---|
| <ul style="list-style-type: none"> <li>▪ Network System Manager;</li> <li>▪ Duty System Manager;</li> <li>▪ Operations Support</li> <li>▪ Network Support</li> </ul> | <ul style="list-style-type: none"> <li>▪ Squad Leader</li> <li>▪ Alternate Squad Leader</li> <li>▪ Staff</li> </ul> | <ul style="list-style-type: none"> <li>• Interacts with facilities staff to determine the extent of damage incurred.</li> <li>• Reports to the Management squad with initial details of the physical damage, estimated duration of outage and recommendations concerning disaster declaration.</li> <li>• Determines the salvageability of resources, facility and equipment.</li> <li>• Initiates cleanup activities and oversee reconstruction of the primary data center.</li> <li>• Assists with the evaluation and acquisition of replacement equipment.</li> <li>• Verifies the readiness of the reconstructed facility including hardware, furniture, security systems and environmental systems.</li> </ul> |

**Operations Recovery:** The Operations Recovery team is responsible to prepare the HotSite for emergency service level operations, verify the integrity of the restored data files, establish data center services at the recovery site, and assist with the move back to the court's primary data center.

| <b>Operations Recovery Team Member</b>   | <b>Roles assumed by team members</b>  | <b>Responsibilities assigned by team members to team members</b>  |
|--|---|---|
| <ul style="list-style-type: none"> <li>▪ System Manager</li> <li>▪ Operations Support Manager</li> <li>▪ Operations Support</li> <li>▪ Technical Support</li> <li>▪ Network Support</li> </ul> | <ul style="list-style-type: none"> <li>▪ Squad Leader</li> <li>▪ Alternate Squad Leader</li> <li>▪ Staff</li> </ul> | <ul style="list-style-type: none"> <li>• Determines appropriate restoration media and arranges for its acquisition and transportation.</li> <li>• Performs or assists with the restoration of the operating system(s) and telecommunications environments.</li> </ul> |

**Communications Recovery:** The Communications Recovery team is responsible to restore, verify and maintain the court's voice and data communication networks.

| <b>Communications Recovery Team Member</b>   | <b>Roles assumed by team members</b>  | <b>Responsibilities assigned by team members to team members</b>   |
|--|---|--|
| <ul style="list-style-type: none"> <li>▪ Network Manager</li> <li>▪ Network Support</li> </ul> | <ul style="list-style-type: none"> <li>▪ Squad Leader</li> <li>▪ Alternate Squad Leader</li> <li>▪ Staff</li> </ul> | <ul style="list-style-type: none"> <li>• Ensures that priority data and voice services are established.</li> <li>• Monitors network for performance, security and availability.</li> </ul> |

**Systems Recovery:** The Systems Recovery team is responsible to restore, verify and maintain the court's operating systems and associated software; validate and maintain the court's business application systems.

| <b>Systems Recovery Team Member</b>   | <b>Roles assumed by team members</b>  | <b>Responsibilities assigned by team members to team members</b>  |
|---|---|---|
| <ul style="list-style-type: none"> <li>▪ System Manager</li> <li>▪ Database Administrator</li> <li>▪ Technical Support</li> </ul> | <ul style="list-style-type: none"> <li>▪ Squad Leader</li> <li>▪ Alternate Squad Leader</li> <li>▪ Staff</li> </ul> | <ul style="list-style-type: none"> <li>• Coordinates system and data restoration activities.</li> <li>• Verifies application status.</li> <li>• Performs and controls application and configuration changes.</li> </ul> |

**Recovery Support:** The Recovery Support team coordinates transportation needs, hardware replacement, customer inquires and cost expenditures; performs clerical and administrative services for team requests; and functions as command center staff and Help Desk.

| <b>Recovery Support Team Member</b>   | <b>Role assumed by team members</b>   | <b>Responsibilities assigned by team members to team members</b>  |
|---|---|---|
| <ul style="list-style-type: none"> <li>▪ Support Center Manager</li> <li>▪ Support Center Operations</li> <li>▪ Administrative Support</li> </ul> | <ul style="list-style-type: none"> <li>▪ Squad Leader</li> <li>▪ Alternate Squad Leader</li> <li>▪ Staff</li> </ul> | <ul style="list-style-type: none"> <li>• Organizes the command center.</li> <li>• Manages all administrative activities.</li> <li>• Maintains customer contact and information flow.</li> </ul> |

**Resource Pool:** The Resource Pool is comprised of additional court personnel who possess the skills and knowledge needed to support the recovery and restoration of the court's data center services.

| Resource Pool Team Member  | Role assumed by team members | Responsibilities assigned by team members to team members   |
|--|------------------------------|---|
| <ul style="list-style-type: none"> <li>▪ [dept] Staff</li> </ul> |                              | <ul style="list-style-type: none"> <li>• Maintains availability for permanent or temporary assignment to assist with recovery efforts.</li> </ul> |

### **SYSTEM RECOVERY**

This section will list each of the court's numerous automation systems, applications, procedures and the arrangements made for recovery facilities. For example:

**System:** [Vendor; hardware and software modes and specifications]

#### **Major Applications**

Appellate Case Management

On-line Docket System

#### **Procedures**

The Standard Operating Procedures are available electronically and on paper. The manual is in the court's data center and included with the three versions of the Disaster Recovery Plan. The electronic version is located on the LAN [list drive and directories].

#### **Recovery Facility**

Hardware replacement services are available through [vendor]. [Specify facilities]