

CONFERENCE OF STATE COURT ADMINISTRATORS

Resolution I

Emergency Preparedness in the State Courts

WHEREAS, recent disasters have demonstrated that an immediate mobilization of the justice system – including the country’s state court systems – is essential to support societal stability and protect individuals, families, businesses and institutions; and

WHEREAS, the Conference of State Court Administrators recognizes that an operational court system capable of performing constitutionally mandated functions stands against the chaos created by an emergency and ensures that the judiciary can fulfill its mission of maintaining the rule of law, protecting individual rights, and providing for the prompt and lawful processing of those charged with crimes; and

WHEREAS, the Conference understands that state court leadership has an obligation to prepare as best it can to meet the challenges of providing mission essential functions in the face of any and all emergencies, from catastrophic events that bring large scale disruption and harm to the more commonly anticipated emergencies that can disrupt court operations on a more localized basis and for a limited time only; and

WHEREAS, a White Paper, *Emergency Preparedness in the State Courts*, was written to identify what state court leaders should be doing now to ensure that their court systems are able to meet this responsibility in the future and to identify key policies and practices designed to promote effective emergency planning and business continuity in their jurisdictions; and

WHEREAS, the White Paper examined the leadership, planning, and funding issues surrounding emergency preparedness and the development and implementation of continuity of operations plans; and

WHEREAS, the White Paper recognizes the critical role of the Chief Justice of the state to provide leadership to highlight the importance of emergency preparedness for the judicial branch and insure that the state courts implement comprehensive statewide emergency preparedness planning; and

WHEREAS, the White Paper also recognizes the critical role of the State Court Administrator to communicate the necessity for emergency planning to all judicial branch personnel, to implement the planning in such a way to facilitate consistent and effective responses to emergency situations, and to oversee implementation of such planning; and

NOW, THEREFORE, BE IT RESOLVED that the Conference of State Court Administrators 1) adopts the *Emergency Preparedness in the State Courts* White Paper, 2) commits to take necessary steps to implement the recommendations, and 3) requests that the President of the Conference assign the White Paper to the appropriate committees to advance the implementation of the recommendations; and

BE IT FURTHER RESOLVED THAT the Conference calls on the National Center for State Courts to 1) provide assistance to the state courts by serving as a clearinghouse for best practices, model policies, procedures, and other information, 2) develop specialized training programs on emergency preparedness, and 3) consider the feasibility of serving as an emergency back-up for communications for states which are experiencing disasters and have lost communications capacity.

BE IT FURTHER RESOLVED THAT that the Conference encourages the Department of Homeland Security to ensure that state court leaders are required participants on state-level committees charged with developing, adopting, and overseeing the implementation of statewide emergency planning funds; and

BE IT FURTHER RESOLVED THAT that the Conference encourages Congress to provide direct funding to state court leadership to enable the state courts to develop and implement emergency plans and security improvements so that state courts are capable of performing their constitutional functions in emergency situations.

Proposed by: Policy and Liaison Committee
Adoption Date: December 1, 2006
Expiration Date: December 31, 2009