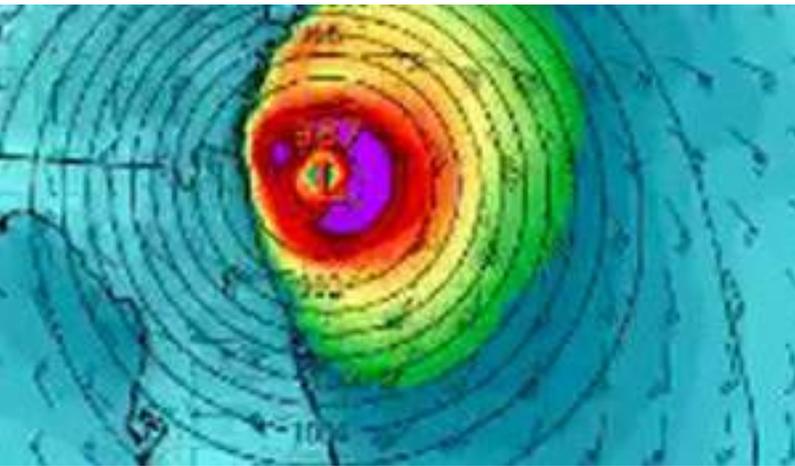


EMERGENCY PREPAREDNESS and CONTINUITY of JUDICIAL OPERATIONS MANUAL



A Manual for Georgia Courts Officials
During States of Emergency and Other Times of Crisis

EMERGENCY PREPAREDNESS AND CONTINUITY OF JUDICIAL OPERATIONS MANUAL

(An Emergency Planning Guide for Court Officials)
3rd EDITION

TABLE OF CONTENTS

1.0 How to Develop a Plan	Page 3
1.1 Introduction	Page 3
1.2 Purpose and Scope	Page 3
1.3 Survey Questions for Court Leaders	Page 4
1.4 How to Use this Plan	Page 4
2.0 How to Establish a Court Chain of Authority:	Page 4
2.1 Administrative Authority	Page 5
2.2 Emergency First Responders Roster	Page 5
2.3 Functions and Duties of Emergency Personnel	Page 7
2.4 Safety Coordinator Duties and Responsibilities	Page 8-9
2.5 Floor Coordinator Duties and Responsibilities	Page 10
2.6 Information/Techniques for Safety Coordinator	Page 11
2.7 Employees with Special Needs	Page 12
2.8 Emergency Notification Roster (Electronic Version)	Page 13
3.0 How to Establish Disaster Management Teams	Page 14-15
3.1 Recovery Management	Page 14
3.2 Damage Assessment Team Responsibilities	Page 14
3.3 Operations Recovery Team Responsibilities	Page 15
3.4 Communications Recovery Team Responsibilities	Page 15
3.5 Systems Recovery Team Responsibilities	Page 15
3.6 Recovery Support Team Responsibilities	Page 15
3.7 Resource Pool Responsibilities	Page 15
4.0 Types of Disasters	Page 16
4.1 Pandemics, Airborne and Blood borne Pathogens	Page 17
4.2 Fire	Page 17
4.3 Bomb Threats	Page 18-21
4.4 Bomb Threat Checklist	Page 22
4.5 Terrorist Attacks	Page 23
4.6 Active Shooter	Page 24-25
4.7 Cyclonic Storms	Page 26
4.8 Flooding	Page 27
4.9 Civil Unrest	Page 28
4.10 Hazardous Chemical Spills	Page 29
4.11 Elevator Entrapments	Page 30

4.12	Electric Power Interruption	Page 31
4.13	Cyber Attacks	Page 31-32
4.14	Electromagnetic Pulse (Grid Outage)	Page 32
4.15	Water Interruption	Page 32
4.16	Emotionally Disturbed	Page 33
4.17	Medical Emergencies	Page 33-34
5.0	Vital Records Planning and Recovery	Page 35
5.1	How to establish a business continuity/disaster recovery plan.	Page 35-36
6.0	Communications	Page 37
6.1	Notification of Building Evacuation Procedures	Page 38
6.2	Emergency Protocol	Page 39
7.0	Acknowledgements	Page 40
7.1	Resources	Page 41
8.0	List of Appendices	Page 42
8.1	APPENDIX A - NCSC Eleven Core COOP Plan Elements	Page 43-44
8.2.	APPENDIX B - Orders of Succession and Delegation of Authorities	Page 45
8.3	APPENDIX C- Contact Information for Key Decision-Makers and Successors	Page 46
8.4	APPENDIX D - Judicial Emergency Act of 2004	Page 47-49
8.5	APPENDIX E - Council of Superior Court Judges Courthouse Security Guide, Court Security Plan & Forms	Page 50-75

Judicial Emergency Management

JUDICIAL COUNCIL/ADMINISTRATIVE OFFICE OF THE COURTS

HOW TO DEVELOP A PLAN

1.1 INTRODUCTION

The Judicial Council Strategic Plan Sub-Committee on Emergency Preparedness and Continuity of Judicial Operations developed this manual to protect occupants and visitors to any Georgia court facility in the event of an emergency, such as a fire, bomb threat, demonstration, natural disaster, explosion, gun violence or pandemic. This manual is designed to protect lives and property, preserve the organizational structure, and to ensure continuity or early resumption of essential duties. It will also document tasks, support, and materials needed should a disaster situation impact the data processing facilities within the courthouse. This manual also outlines responsibilities in the event of an emergency for all personnel and visitors.

1.2 PURPOSE AND SCOPE

This manual is designed to assist courts in creating plans that take effect when an emergency beyond the scope of standard operating procedures occurs. Plans are designed to reduce confusion created during a disaster and provide a framework for recovery and restoration of the court's electronic business applications.

The manual 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.

1.3 SURVEY QUESTIONS FOR COURT LEADERS

Local Disaster Response Organizations

1. Who is in charge of disaster response and recovery in your county?
2. Have you developed a working relationship with the person or persons in charge of disaster response and recovery?
3. How are the local representatives of other state agencies coordinating their disaster response and recovery efforts?

Local Court Organization

1. Where would you get your information about the disasters?
2. What security issues have you identified? How will you resolve them?
3. What problems do you anticipate for your court?
4. Have you identified mission critical functions? Have staff received training to maintain these functions? What happens if staff does not report to work?
5. Who will you need to notify? How will you notify them?

Communications

1. Will your service to the public be affected? If so, what will you do to lessen the impact?
2. If needed, how will you communicate information to the public, for example, that a trial has been bound over? How will you communicate to your staff?
3. What informational messages (press releases), if any, would you want to release to the public?
4. How would you release the information?
Refer to *Crisis Communications Checklist*, Section 6.0.

Wrap Up

1. What are your top two or three issues and concerns based on the known information?
2. Are there any changes to your Disaster Recovery Plan you will need to make as a result of this exercise? If so, what are they?

2.0 HOW TO ESTABLISH A COURT CHAIN OF AUTHORITY

In the event the Chief Judge is unavailable, the court should establish administrative and emergency authority for its divisions/departments to ensure continuity of operations.

2.1 **Administrative** The Chief Judge holds authority to declare a judicial emergency, and impose an injunction of court operations. When a senior member of the court, division/department is not present, the manager is away from the office on business or leave, overall responsibility for responding to critical calls or inquiries resides with the next individual listed on the *Court Chain of Authority Roster*.¹

2.2 **Emergency** In emergencies, court employees will follow guidance in the Court Emergency Plan or take directions from the Safety Coordinator and Floor Coordinators. (*How to Determine Functions and Duties of Selected Emergency Personnel*). When key staff is out of the office, or have been incapacitated, the next senior division/department staff member assumes control to assist the Safety and Floor Coordinators. In the absence of directions, follow the guidelines of the court or agency's emergency plan.

¹ See a sample Court Chain of Authority Roster on page 6.

2.3 FUNCTIONS AND DUTIES OF EMERGENCY PERSONNEL

Identify the individual who exercises overall responsibility for personnel and members of the public that may be within the facilities.

Identify a Safety Coordinator who designates and trains Floor Coordinator(s);

1. is responsible for accountability of all assigned and attached personnel;
2. ensures the availability of employees' formation;
3. ensures the well-being of special needs individuals;
4. distributes information to local law enforcement or first responders.

Identify Floor Coordinators who

1. have direct accountability for employees;
2. coordinates with Safety Coordinator and;
3. provides information to Safety Coordinator.

2.4 SAFETY COORDINATOR DUTIES AND RESPONSIBILITIES

BEFORE AN EMERGENCY

1. Maintains updated contact list of office personnel.
2. Maintains a list of employees who have medical training.
3. Maintains a list of employees with special needs.
4. Is aware of notification protocol and procedures.
5. Educates employees of emergency evacuation protocol and procedures.
6. Develops policies regarding employees leaving to pick up family members or being picked up during an emergency.
7. Knows where safety areas/evacuation areas are located.
8. Provides a list of emergency contact numbers to all employees (for example, a list of safety coordinators and a list of local first responders), develops an emergency supply kit for each safety area.
9. Assures that safety procedures and informational brochures are provided during new employee orientation and on-boarding.
10. Posts floor plans/evacuation maps in conspicuous places in the workplace.
11. Maintains current email addresses, mobile numbers, and ensures that communication devices (weather radio, amateur radio, and two-way radio) are in good working condition.

DURING AN EMERGENCY

1. Notifies appropriate personnel as designated on court chain of authority roster, of current situation and when to begin evacuation.
2. Accounts for all employees.
3. Sheriff or assigned law enforcement sweeps office areas, break rooms, bathrooms, etc. to assure no one is left in the building.
4. Posts evacuation signs in offices.
5. Makes contact with Floor Coordinator to assure all employees are accounted for in each safety area.
6. When appropriate, forwards a signal of 'all clear' to Floor Coordinators.

AFTER AN EMERGENCY

1. Once back inside offices, accounts for all employees.
2. Via questionnaire or survey, determines results of exercise or response to actual event.
 - a. Was the notification effective and adequate?
 - b. Was the evacuation practical and safe?
 - c. Were any special needs not handled?
3. Prepares an After Action Report, including recommendations, if any.

SAFETY COORDINATOR (Other roles and responsibilities)

- Develop the Court's method of notification to disabled staff members.
- Train staff in the step-by-step procedures if a fire is discovered.
- Train staff on evacuation procedures.
- Educate staff on the location of the designated ASSEMBLY AREA assigned to your building.
- Develop and train designated personnel in the method for taking a head count by name of staff at the ASSEMBLY AREA.
- Educate staff on the persons authorized to call for an evacuation of the building.
- Conduct and comply with evacuation drills.
- Schedule select staff to attend First Aid and other safety classes deemed appropriate.
- Identify, maintain, and communicate a current list of all staff with special needs.
- Define and document safe places for persons with special needs to gather for rescue and assistance in evacuating your space.
- The Safety Coordinator will provide law enforcement and the fire department with a copy of the list and procedures established so that they will be available to emergency response personnel during an emergency.

Elements of the plan should be tested periodically by way of war-room evaluation and off-site recovery center. Accordingly, modifications to the plan may be required based upon test results, as well as changes to hardware, software applications, procedures and personnel. The plan document is stored electronically via a cloud, and archived and posted on the court's website.

2.5 FLOOR COORDINATOR DUTIES AND RESPONSIBILITIES

BEFORE AN EMERGENCY

1. Assists Safety Coordinator in maintaining an updated contact list of office personnel.
2. Makes available a list of employees who have medical training.
3. Makes available a list of employees with special needs.
4. Maintain awareness of protocol and procedures.
5. Assists Safety Coordinator with educating employees of protocol and procedures.
Develops policies regarding employees leaving to pick up family members or being picked up during an emergency. Knows where safety areas/evacuation areas are located.
6. In coordination with Safety Coordinator, provides a list of first responder emergency contact numbers to all employees in case of an emergency.
7. Develops an emergency supply kit for each safety area. *For more information on how to develop a disaster preparedness kit or if you have questions concerning what your disaster kit should include visit [Red Cross Emergency Preparedness](#).*
8. Develops contingency kits for each clerk's office to ensure continued remote operations. E.g., the clerk's office contingency kit should include paper, pens, call lists, receipt book, the clerk's official stamp, and forms on thumb drives.
9. Assures that safety procedures/informational materials are provided during employee onboarding.
10. Posts floor plans/evacuation maps in conspicuous places.
11. Maintains communication devices in good working condition, such as weather radios (hand held), two way radios, etc.

DURING AN EMERGENCY

1. Upon notification by Safety Coordinator, notifies all employees of situation and/or evacuation.
2. Guides employees to safety area. Keeps the evacuation kit on hand.
3. Assists Safety Coordinator in accounting for all office personnel.
4. Notifies Safety Coordinator when all personnel have been accounted for and also if someone cannot be found.
5. Monitors personnel at the safety area.
6. Upon notification of 'all clear', guides personnel back to offices.

AFTER AN EMERGENCY

1. Once back inside offices, accounts for all employees and confirms with Safety Coordinator.
2. Assists the Safety Coordinator with follow up questionnaire and After Action Report.

2.6 INFORMATION/TECHNIQUES FOR SAFETY COORDINATOR

The techniques for detection, notification and movement are generally appropriate for anyone in any setting, but there are some exceptions. The purpose of this section is to provide the Safety Coordinator with information that will be helpful in assisting those employees with special needs.

DETECTION

Manual pull stations are provided in public buildings so that people can initiate a fire alarm if they discover a fire before it is detected by the automatic system. Codes have been revised to require that these manual pull stations be mounted so that a person in a wheelchair can reach and activate these alarms. NOTE: Detection is automatic in courthouses by means of smoke detection and water flow alarms. Renovations to these systems occur. Many of these pull stations are being modified to allow people who do not possess the strength and/or dexterity to operate some of the older manual pull station devices.

MOVEMENT

By far the greatest range of special needs exists in the area of movement of persons to safe areas. People using wheelchairs or having other obvious mobility disabilities come immediately to mind, although there are many who may not appear to have a disability that will also require some special assistance.

Permanent conditions such as arthritis or temporary conditions such as a sprained ankle or a broken leg can limit one's ability to evacuate quickly and safely. Heart disease, emphysema, asthma, or pregnancy can reduce stamina to the point of needing assistance when moving down many flights of stairs in unfamiliar and smoke-filled stairways.

2.7 EMPLOYEES WITH SPECIAL NEEDS

It is every court's responsibility to provide a safe place for all employees to work. Employees with special needs are entitled to the same level of safety as everyone else. Emergency planning by employers and organizations should include purchasing and training staff in the use of evacuation and other emergency equipment appropriate for people with disabilities. The "reasonable accommodation" as mandated in the Americans with Disabilities Act is intended to provide this same level of safety and utility as provided to everyone. Further, we cannot predict when anyone may need assistance, as in the case of a broken leg, or the occurrence of cardiac distress.

The underlying principal in providing safety from fire and smoke in a building is that of safe egress: *the efficient relocation of building occupants to an area of safety usually outside the building*. This depends on several steps:

1. Early detection of a fire before it can interfere with the movement of people.
2. Notification to people that a potential danger exists and to proceed with an orderly evacuation to the pre-determined ASSEMBLY AREA.

IDENTIFICATION

One major challenge is the identification of those individuals who may need special assistance. There will always be someone who will need some special assistance in the event of a fire or other emergency requiring evacuation. Thus, identifying these individuals is essential, never losing sight of the fact that some of these people may not recognize their own need for assistance. In addition, allowances for visitors present in the courthouse must also be made. During the on-boarding of new employees, (i.e. during the orientation process), it is the time to begin stressing the importance of identifying if an individual will need special assistance. This system needs to be flexible, since conditions change and persons can become temporarily disabled.

The Safety Coordinator is responsible for maintaining the names, locations and type of assistance that these employees will need to ensure that the procedures and accommodations are in place to address these disabilities. They will provide the designated law enforcement agency and the fire department with a copy of the list and procedures established so that they will be available to emergency response personnel during the emergency.

Once identified, individuals should be consulted about their specific limitations and how best to provide assistance. Finally, the methods for accommodation and assistance devices should be selected and discussed. This is necessary to ensure a safe evacuation from the building for the individual with a special need.

3.0 HOW TO ESTABLISH DISASTER MANAGEMENT TEAMS

Interruption in court business systems may occur at any time requiring a coordinated response. Each interruption will require a managed approach that:

- 1) *fosters consistency of effort*
- 2) *and reduces the escalation of damage*

The Recovery Team is organized to address all issues related to an emergency and is authorized to make all decisions relative to recovery operations.

Court management assigns specific members to manage these efforts, and the team is also staffed with members capable of performing varied tasks. The team itself is made up of managers or coordinators designated to handle specific tasks to be accomplished before, during, and after an emergency situation.

3.1 RECOVERY MANAGEMENT TEAM RESPONSIBILITIES

Recovery Management team is responsible for coordinating the activities of all recovery squads, approval of all financing, planning and dissemination of information.

1. Assigns staff to recovery squads; initiates team activation; notifies management, vendors, and customers; authorizes Hot Site (a central point for all team leaders to share), recovery services notification; and authorizes disaster declaration.
2. Maintains and supplies up-to-date information concerning recovery activities to Human Resources, Public Relations, Finance, and Senior Management.
3. Determines recovery strategies and manages reconstruction efforts.
4. Assesses monetary requirements and authorizes emergency procurement. Purchases items and issues cash disbursement.

3.2 DAMAGE ASSESSMENT TEAM RESPONSIBILITIES

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

1. Interacts with facilities staff to determine the extent of damage incurred.
2. Reports to the Recovery Management Team with initial details of the physical damage, estimated duration of the outage and recommendations concerning disaster declaration.
3. Determines the salvage ability of damaged resources, facilities, and equipment.
4. Initiates cleanup activities and oversees reconstruction of the primary data center.
5. Assists with the evaluation and acquisition of replacement equipment.
6. Verifies the readiness of the reconstructed facility including hardware, furniture, security systems, and environmental systems.

3.3 OPERATIONS RECOVERY TEAM RESPONSIBILITIES

Operations Recovery team is responsible for preparing the Hot Site for emergency level operations, verifying the integrity of the restored data files, establishing data center services at the recovery site, and assisting with the move back to the court's primary data center.

1. Determines appropriate restoration media and arranges for its acquisition and transportation.
2. Performs or assists with the restoration of the operating systems and telecommunications environments.

3.4 COMMUNICATIONS RECOVERY TEAM RESPONSIBILITIES

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

1. Ensures that priority data and voice services are established.
2. Monitors network for performance, security and availability.

3.5 SYSTEMS RECOVERY TEAM RESPONSIBILITIES

Systems Recovery team is responsible for the restoration, verification and maintenance of the court's operating systems and associated software; validate and maintain the court's business application systems.

1. Coordinates system and data restoration activities.
2. Verifies application status.
3. Performs and controls application and configuration changes.

3.6 RECOVERY SUPPORT TEAM RESPONSIBILITIES

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

1. Organizes the command center.
2. Manages all administrative activities.
3. Maintains customer contact and information.

3.7 RESOURCE POOL RESPONSIBILITIES

Resource Pool team 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.

Maintains availability for permanent or temporary assignment to assist with recovery efforts. It is up to the discretion of the court clerk to decide who these individuals will be and what they are accountable for.

4.0 TYPES OF DISASTERS

4.1 Pandemics, Airborne, and Blood borne Pathogens

Courts should partner with local public health organizations to develop preparedness plans for addressing workplace pandemics and blood borne pathogens which may affect staff and the public. Court contingency plans may include implementation of telework options for eligible employees and utilization of personal protective equipment.

The Public Health Emergency Preparedness Program works to advance six main areas of preparedness so state and local public health systems are better prepared for emergencies that impact the public's health.

Community Resilience:

Preparing for and recovering from emergencies

Incident management:

Coordinating an effective response

Information Management:

Making sure people have information to take action

Countermeasures and Mitigation:

Getting medicines and supplies where they are needed

Surge Management:

Expanding medical services to handle large events

Biosurveillance:

Investigating and identifying health threats

For more information refer to the [Centers for Disease Control and Prevention](#) and the revised 2018 [Georgia Pandemic Bench Guide](#).

4.2 DISASTER TYPE: FIRE

Because fire is an ever-present threat, the most effective fire prevention measures are those incorporated into the agencies general operating procedures and is practiced by the occupants of each building until the process is learned.

FIRE PREVENTION TIPS

1. Turn off unattended electrical equipment (including coffee makers and portable heaters, when not in use).
2. Encourage prompt reporting of improperly stored materials, blocked exit routes, or inoperable building/life safety system elements.
3. Extension cords shall only be for temporary service and should be disconnected after use and not present a trip hazard during use. Use cords and appliances that are listed by Underwriters Laboratories, Inc. or other independent testing laboratories. Temporary power taps with multiple plugs are prohibited. Listed surge suppression devices meeting UL #1449 standards are allowed on electronic data processing equipment.
4. Space heaters can ignite combustible materials or overload electrical circuits and cause a fire. Determine if portable space heaters are prohibited from use unless they are approved by the sheriff's office or the appropriate building authority.
5. Problems with electrical equipment should be promptly reported and repaired or the equipment should be taken out of service. Electrical short circuits or frayed cords can cause a fire.
6. Where smoking is allowed, cigarettes and other smoking materials should be disposed of in metal receptacles, not in wastebaskets.

4.3 DISASTER TYPE: BOMB THREATS

Letter and parcel bombs vary in size, shape and components. Those individuals handling office mail and package deliveries should be alert for suspicious looking items.

Bombs can be constructed to look like almost anything and can be placed or delivered in a number of ways. The probability of finding a bomb that looks like the stereotypical bomb is almost nonexistent.

Most bombs are homemade and are limited in their design due to resources available to the bomber. Suspect anything that looks unusual. Let the trained bomb technician determine what is or is not a bomb.

Identifying Suspicious Packages

1. Look at the sender's address--is it a familiar one?
2. Is correspondence from the sender expected?
3. Do characteristics of envelope or package resemble the expected contents?

Additional characteristics:

- ♦ Excessive postage (i.e. \$1.50 standard envelope, etc.)
- ♦ Handwritten or poorly typed addresses (i.e. Block letters or symbols)
- ♦ Incorrect titles (i.e. Your Name, Conspicuous)
- ♦ Title listed with no name (i.e. Chief Finance Officer)
- ♦ Misspelling of common words
- ♦ Oily stains, discolorations, or odor
- ♦ No return access
- ♦ Excessive weight, lopsided, or uneven envelope
- ♦ Protruding wires or aluminum foil
- ♦ Visual distraction, directions (i.e., It's your lucky day or personal/confidential)
- ♦ Ticking sound
- ♦ A city or state in the postmark that does not match the return address

DON'TS for Suspicious Package

DON'T FAIL to isolate the suspected item.

DON'T touch a suspicious package.

DON'T move the bomb away from the people; move people away from the bomb. Don't carry or move the package.

DON'T submerge package in water due to conductivity of electric circuits and possibility of violent reactions with chemical agents.

DON'T attempt to open a suspected package by hand.

DON'T cut a string or unlatch a box or package due to the possibility of pressure release devices.

DON'T turn a package by hand due to possibility of sliding contacts, mercury, or trembler switches.

DON'T lay a bottle on its side as this may cause certain hypergolic chemicals to mix causing violent reactions.

DON'T puncture or cut into a box with a metallic object.

DON'T accept identification markings on any suspected package as legitimate.

DON'T underestimate the size of a suspected package or letter. An explosive charge the size of a cigarette lighter can kill or maim.

DON'T be heroic. In many cases, the perpetrator relies on your heroic act to trigger his device.

DON'T allow electronic or any other device transmissions in the vicinity of a suspicious package.

STEP BY STEP PROCEDURE

The individual who calls with a bomb threat is the best source of information about the bomb. When a bomb threat is called in:

1. Stay calm and keep the caller on the line as long as possible. Ask the caller or person to repeat the message. Record every word spoken by the person.
2. If the caller does not indicate the location of the bomb or the time of possible detonation, ask for this information.
3. Inform the caller that the building is occupied and the detonation of a bomb could result in death or serious injury to many innocent people.
4. Pay particular attention to background noises, such as motors running, music playing, and any other noise, which may give a clue as to the location of the caller.
5. Listen closely to determine the gender of the voice, voice quality (calm, excited), accents, and speech impediments. Immediately, contact 911 and report the threat to the member of management designated to receive such information within your department.
6. Remain available, and bring your completed form titled (THREAT CHECKLIST²), as law enforcement personnel will want to interview you while it is still fresh on your mind.

When a Phone Threat is Received

It is the responsibility of the Safety Coordinator to properly instruct all personnel, especially those at the telephonic communications center, what to do if a bomb threat call is received. A covert signaling system for this courthouse is as follows:

(Insert/type information specific to your county, this is a sample of what could be done).

The covert system will buzz a second reception point with a special signal.

A calm response to the bomb threat caller could result in obtaining additional information.

Utilize the form entitled BOMB THREAT CHECKLIST. This is especially true if the caller wishes to avoid injuries or deaths. If told that the building is occupied and cannot be evacuated in time, the bomber may be willing to give specific information on the bomb's location, components, or method of initiation.

² See page 24 for a sample of the Bomb Threat Checklist.

When a mail threat is received.

When a written threat is received, save all materials, including any envelope or container. Once the message is recognized as a bomb threat, further unnecessary handling should be avoided. Every possible effort must be made to preserve evidence such as fingerprints, handwriting or typewriting, paper, and postal marks. Immediately, contact 911 and report the threat to the member of management designated to receive such information within your department. Remain available, because law enforcement personnel will want to interview you while it is still fresh in your mind.

The Safety Coordinator should take an accurate personnel headcount in number and name to prevent confusion in the assembly areas, which can lead to unnecessary and dangerous search and rescue operations. The Safety Coordinator will notify the Emergency Command post of the status of the head count as soon as it has been completed.

It is advised that the ASSEMBLY AREA be divided into separate groups of personnel, which will facilitate an accurate head count.

The Floor Coordinator will take a head count by number and name after the evacuation.

The names and last known location of persons not accounted for should be determined and given to the Emergency Command Post.

4.4 Bomb Threat Checklist

ASK THE CALLER QUESTIONS 1-8	DOCUMENT BACKGROUND SOUNDS	
1 Where is the bomb right now?	<input type="checkbox"/> Traffic	<input type="checkbox"/> Voices
2 What does the bomb look like?	<input type="checkbox"/> Music	<input type="checkbox"/> House Noise
3 When is the bomb going to explode?	<input type="checkbox"/> Static	<input type="checkbox"/> Clear
4 What kind of bomb is it?	<input type="checkbox"/> Office Noises	<input type="checkbox"/> Factory
5 What will cause the bomb to explode?	<input type="checkbox"/> Long Distance	<input type="checkbox"/> Machinery
6 Did you place the bomb?	<input type="checkbox"/> PA System	
7 Why?		
8 What is your name?		

DOCUMENT EXACT WORDING OF BOMB THREAT?	THREAT LANGUAGE	
<input type="checkbox"/> Well Spoken	<input type="checkbox"/> Incoherent	
<input type="checkbox"/> Offensive Words	<input type="checkbox"/> Message Read	
<input type="checkbox"/> Taped	<input type="checkbox"/> Irrational	

DOCUMENT CALLER INFORMATION:	CALLER'S VOICE:		
Gender: <input type="checkbox"/> Male	<input type="checkbox"/> Calm	<input type="checkbox"/> Lisp	
<input type="checkbox"/> Female	<input type="checkbox"/> Soft	<input type="checkbox"/> Slow	
<input type="checkbox"/> Other/Disguised	<input type="checkbox"/> Stutter	<input type="checkbox"/> Crying	
Race: <input type="checkbox"/> Black	<input type="checkbox"/> Excited	<input type="checkbox"/> Slurred	
<input type="checkbox"/> White	<input type="checkbox"/> Laughter	<input type="checkbox"/> Whispered	
<input type="checkbox"/> Foreign Language	<input type="checkbox"/> Raspy	<input type="checkbox"/> Accent	
Age:	<input type="checkbox"/> Nasal	<input type="checkbox"/> Disguised	
Call: Length _____	<input type="checkbox"/> Angry	<input type="checkbox"/> Cracking	
	<input type="checkbox"/> Loud	<input type="checkbox"/> Normal	

If voice is familiar, who did it sound like?

--

AGENCIES NOTIFIED:	CALL RECEIVED BY/TRANSFERRED FROM:	
<input type="checkbox"/> Police/Fire	Name:	<input type="text"/>
<input type="checkbox"/> Director's Office	Title/Position:	<input type="text"/>
<input type="checkbox"/> GEMA	Location:	<input type="text"/>
<input type="checkbox"/> Other (please indicate)	Telephone No.:	<input type="text"/>

4.5 DISASTER TYPE: TERRORIST ATTACKS

CHEMICAL WARFARE AGENTS

The most common chemical agents are those chemicals expressly selected and produced because of their ability to cause injury or incapacitation. Nerve and blister agents are not commonly encountered in the public sector. Both possess extraordinary toxicity in small amounts and the odorless nerve agents can kill rapidly.

Standard HAZMAT emergency response equipment and procedures provide adequate protection when dealing with these chemicals.

BIOLOGICAL WARFARE AGENTS

Living organisms or the material derived from them can cause disease in or harm to humans, animals, or crops. The United States distinguishes between the microorganisms and the toxins they produce such that only the disease-producing organisms are classified as biological agents. A biological agent has a latent period between infection and onset of disease. The onset of symptoms varies with the microorganism and may vary from days to weeks. There typically will be no characteristic signature because biological agents are usually odorless and tasteless.

IMMEDIATE RESPONSE

Stay calm and follow the courthouse Emergency Response Procedures for chemical or biological agent attacks. Incidents of this type will usually necessitate the response of multiple agencies from all levels of government.

Aside from the immediate public safety concerns, parallel operations may be underway in the interest of national security and law enforcement. A unified command is necessary to ensure the safety and effectiveness of response actions.

Exposure to chemical agents can be fatal. Leaving the shelter to rescue or assist victims can be a deadly decision. There is no assistance that the untrained person can offer that would likely be of any value to the victims of chemical agents.

4.6 DISASTER TYPE: ACTIVE SHOOTER

Quickly determine the most reasonable way to protect your own life. Court visitors and clients are likely to follow the lead of employees and managers during an active shooter situation. There are three recommended steps to follow: Evacuate, Hide Out, and Fight.

Evacuate

If there is an accessible escape path, attempt to evacuate the premises. Be sure to:

- Have an escape route and plan in mind
- Evacuate regardless of whether others agree to follow
- Leave your belongings behind
- Help others escape, if possible
- Prevent individuals from entering an area where the active shooter may be
- Keep your hands visible
- Follow the instructions of any police officers
- Do not attempt to move wounded people
- Call 911 when you are safe

Hide Out

If evacuation is not possible, find a place to hide where the active shooter is less likely to find you. Your hiding place should:

- Be out of the active shooter's view
- Provide protection if shots are fired in your direction (i.e., an office with a closed and locked door)
- Not trap you or restrict your options for movement

To prevent an active shooter from entering your hiding place:

- Lock the door or block entry with heavy furniture

If the active shooter is nearby:

- Lock the door
- Silence your cell phone and/or pager
- Turn off any source of noise (i.e., radios, televisions)
- Hide behind large items (i.e., cabinets, desks)
- Remain quiet if evacuation and hiding out are not possible:
- Remain calm
- Dial 911, if possible, to alert police to the active shooter's location
- If you cannot speak, leave the line open and allow the dispatcher to listen

Fight

Take action against the active shooter:

- As a last resort, and only when your life is in imminent danger, attempt to disrupt and/or incapacitate the active shooter by:
- Act with as much physical aggression as possible against him/her
- Throw items and improvise weapons

- Yelling
- Commit to your actions

4.7 DISASTER TYPE: CYCLONIC STORMS

Tornadoes and hurricanes harbor tremendous destructive power and are a very real threat. For these reasons, employees must understand the notification procedures and the actions they must take to protect themselves.

Tornadoes can form and move quickly. It is recommended that each courthouse purchase a weather radio (with optional battery power capabilities) and locate it where it can be monitored locally. This will insure the earliest notification of a possible threat.

The National Weather Service (NWS) will alert the public of potential storms in many ways, to name a few:

TORNADO WATCH means that conditions are favorable for the formation of severe thunderstorms, tornadoes, or both. Building occupants should be prepared to move to a safe area within the building.

TORNADO WARNING means that a tornado has been sighted in the area and people should take shelter immediately.

ALL CLEAR indicates the threat has passed. The police and fire departments monitor and maintain a 7 channel Weather Alert Radio, which receives notification alerts from the National Weather Service (NWS). Georgia's Emergency Management Agency will also contact the county government in the event that the NWS initiates either a Watch or Warning for the county area.

SELECTING THE SAFEST REFUGE

Occupants should move away from windows and external doors.

In small buildings, occupants should be relocated to the basement or to the interior hallways on the lowest floor. **Stairwells are normally one of the strongest components** of buildings and, if there are no exterior windows, make an excellent tornado shelter. In a high-rise building, occupants should be directed to interior rooms and hallways on the lowest floor possible. Parking garages located below many buildings are excellent locations to seek refuge.

It is the responsibility of the Safety Coordinator to identify locations within their building suitable and convenient for personnel to use in the event of a tornado. The Safety Coordinator will coordinate with police and fire officials to ensure that these areas do not become overcrowded. A copy of the established plan will be provided to local law enforcement and fire agencies.

4.8 DISASTER TYPE: FLOODING

Flooding can occur in a building for a number of reasons and can originate inside or outside the building. In either case, flooding can cause substantial damage to the building, its contents, and occupants.

Internal Flooding

The causes of internal flooding are many. The repair and building cleanup from these floods is the responsibility of the property resources management office.

Report leaks and broken pipes immediately by calling:

During Business Hours Call:	
After Business Hours Call:	

The local government agency will dispatch facility management personnel to locate and control the source of the water infiltration.

Elevator mechanics will park elevator cars susceptible to water damage above the affected floors and insure that elevator sump pumps are maintaining a dry pit.

Janitorial personnel will remove water from the floor with wet vacuums, pumps, and mops. Carpets may be steam cleaned and receive an anti-microbial treatment to prevent odors as they dry. Special fans may be employed to speed drying of carpets.

The local government will assist agencies in moving critical equipment and records away from the flooding areas if requested.

Many buildings managed by local government agencies are heated by pumping heated water through fan-coil units located just below a window. If the window is allowed to remain open during extremely cold weather, the potential exists that the fan-coil will freeze and break a supply line in the process. If undetected overnight, these units can flood an entire floor with several inches of water when they thaw out.

4.9 DISASTER TYPE: CIVIL UNREST

During demonstrations and other large gatherings, police services, fire department and other local law enforcement officials will attempt to preserve the peace while protecting the rights of citizens to assemble peacefully and exercise free speech.

If you are in the office when the disturbance occurs:

1. Remain in the building.
2. Stay away from windows.
3. Follow the direction of your coordinators
4. Keep communication devices free as much as possible for incoming messages.
5. Plan to walk in groups to assembly areas.
6. Stay calm.

If you are away from the office when the disturbance occurs:

1. Stay away from the disturbance area.
2. Telephone your office to determine if doorways are blocked.
3. Don't engage in conversation with individuals involved in the disturbance.
4. Walk with haste, but do not run.
5. Stay calm.

Building Evacuation

Building occupants must be informed in advance of the specific evacuation procedures that will be used in the event of an emergency and the location of the ASSEMBLY AREA assigned to their office/department. Occupants will re-assemble in their designated ASSEMBLY AREA as established by the Safety Coordinator. In addition to the primary assembly area two alternate locations should be identified as ASSEMBLY AREAS if the primary cannot be accessed. Those occupants not involved in control or mitigation measures will be evacuated from the area. Occupants who are not evacuated immediately should be kept advised through their floor coordinator.

Who Will Order the Evacuation?

The decision to evacuate the building will be made jointly by the law enforcement agency and the safety coordinator based upon the following three criteria:

1. Assess Situation
2. Plan Evacuation
3. Implement Evacuation

4.10 DISASTER TYPE: HAZARDOUS CHEMICAL SPILLS

Notification: Anyone observing a spill or leak must immediately notify 911. The observer must state the location and severity of the spill along with an identification of the material spilled.

Building Evacuation: Building occupants must be informed in advance of the specific evacuation procedures that will be used in the event of a hazardous chemical spill and the location of the ASSEMBLY AREA(s) assigned to their courthouse.

Occupants will re-assemble in their designated ASSEMBLY AREA as established by the Safety Coordinator. In addition to the primary assembly area, two alternate locations should be identified as ASSEMBLY AREA if the primary is inaccessible. Those occupants not involved in control or mitigation measures will be evacuated from the area. Occupants who are not evacuated immediately should be kept advised through their floor coordinator.

Who Will Order the Evacuation? The order to evacuate a building could be the decision of law enforcement, the fire department chief, or the courthouse Safety Coordinator after:

1. Assessing the Situation
2. Planning Evacuation Needs
3. Implementing the Evacuation

4.11 DISASTER TYPE: ELEVATOR ENTRAPMENTS

Elevators are very complex machines with many built-in safety systems. If any one of these systems detects even the smallest malfunction, the normal result is a shutdown of the elevator. Unfortunately, if you are riding the elevator at that time, you may not be able to exit the car until a trained mechanic reaches the scene.

Should you become entrapped, remain calm. The elevator has shut down, as it should when it detects a malfunction in one of its systems. You may have experienced a sudden stop in the elevator as emergency brakes were engaged. This is often described as unnerving because people are used to a gradual stop that is barely perceptible.

Press the Call Button as it establishes two-way communication with the Control Center. Speak in a calm, clear voice. The operator is trained to ask questions that will assist an elevator technician responding to the entrapment expedite the removal of personnel from the elevator and make repair in the shortest time possible.

If the door is partly open and you are between floors or the doors are not fully open, do not force the doors open or attempt to crawl out. Stand away from the doors and wait until assistance arrives on the scene.

Only first responders or authorized service technicians should attempt to remove occupants from an elevator stucked between floors.

4.12 DISASTER TYPE: ELECTRIC POWER INTERRUPTION

Temporary power outages increase the problem of fire identification and notification. Repair of broken lines may be time consuming since most lines are underground for managed buildings, but there are exceptions. If this should happen, the electric company would issue notification to the appropriate property owners. Refer to Building Evacuation Procedures, Section 4.9, page 28.

4.13 DISASTER TYPE: CYBER ATTACKS

A court's cyber attack incident response team should include representatives from each department or organization that would be involved in handling an incident and notifying court staff and the public. At a minimum, that team should include the following:

Chief Judge/Justice

As the "face" of the court, the Chief Judge/Justice should likely be the spokesperson.

Court Administrator/CEO

Musters the resources necessary to carry out the plan while orchestrating ongoing business.

CIO

Takes the lead in the technical portions of the action plan.

IT Security Officer

Ensures the team's responses meet legal mandates. May collect digital forensic evidence and/or act as liaison to law enforcement and other agencies.

Public Information Officer

Ensures the Chief Judge/Justice has accurate and complete information and assists with communications to press and public.

Human Resources

If employees are affected, HR participates in efforts to address the impact.

Legal

Works to protect the court from making legal missteps in response efforts. This team should meet regularly, and in the event of an incident, meet frequently to discuss and determine the best courses of action. Each individual on the team brings a unique organizational perspective that will be important in addressing all the implications of the cyber attack incident.

This team should meet regularly, and in the event of an attack, meet frequently to discuss and determine the best courses of action. Each individual on the team brings a unique organizational perspective that will be important in addressing all the implications of the cyber attack.

A cyber attack event in one court may bring about an attack to another court. Notify the local technical staff and the state AOC as soon as possible. In some instances, a state AOC may have resources to assist in responding to a cyber attack incident.

4.14 DISASTER TYPE: ELECTROMAGNETIC PULSE (GRID BLACKOUT)

In addition to a cyber attack that targets government or courts specifically, courts also should consider the possibility of an event that more generally affects telecommunications networks and the electrical power grid as a whole, such as an electromagnetic pulse (EMP). Upon the happening of such an event, communications by landline telephones requiring external power, mobile devices, and the Internet may be disabled, power may be lost over a wide area, computers and other electronic devices may be rendered unusable, and restoration of the power grid and usual telecommunications networks may be substantially delayed.

An emergency plan and contact list for essential personnel (including landline numbers and physical addresses at which essential personnel may be found in the event of widespread telecommunications outages) should be developed, maintained in non-electronic form, and distributed to court management personnel, including judges, court administrators, communications and technology officers, and court security personnel.

It is recommended that copies of the emergency plan and contact list be kept in multiple locations. Courts should consider that, upon the happening of such an event, electronic filing systems and automated court services may be unavailable indefinitely, and courts should devise contingency plans for alternatives to these systems. Refer to Section 4.12 for assembling a response team and sending notifications.

4.15 DISASTER TYPE: WATER INTERRUPTION

Repair of broken lines may be time consuming since most lines are underground for certain managed buildings. If this should happen, the water company would issue notification to the appropriate property resource professional.

4.16 DISASTER TYPE: EMOTIONALLY DISTURBED PEOPLE

How to Handle Emotionally Disturbed Visitors and Staff

If a person in crisis state visits your court facility, the following suggestions may be used in dealing with the individual:

- Stay calm. Do not react to outbursts or increase the level of excitement.
- Insure personal safety.
- Establish rapport.
- Listen and collect information.
- Meet any concrete needs.
- Remain patient.
- Do not try to deceive.
- Set limits if necessary and remind the person of courthouse rules or acceptable behavior.
- Should you feel threatened, do not hesitate to summon assistance.

Alternately, if you do not want an unwanted visitor to know you are calling police, dial the Police Services and state that "the mail is ready for pick up in Room/Suite ____ of the _____ courthouse." This code alerts the communication center of your need and location. Court security personnel should regularly receive training on the special code phrase.

For additional information on interacting with emotionally disturbed persons, visit the link to [Judge's Guide to Mental Illness in the Courtroom Bench Card](#).

4.17 MEDICAL EMERGENCIES

Medical and First Aid emergencies may occasionally occur involving persons employed at or visiting in the building. The following information is provided to assist in treating injuries or obtaining qualified medical personnel.

Sources of Help

Help for medical problems are available, but not limited to, from the following sources:

Personnel with First Aid Knowledge

These persons have varying levels of skill. Some are well trained and can perform certain life sustaining techniques and can reasonably decide whether a condition is life threatening.

Personnel with First Aid Training should be identified and made known to the floor occupants. CPR training is offered periodically by local hospitals, American Heart Association and the Red Cross. Personnel should be encouraged to attend this training.

911 Dispatch Services

This public service will respond with emergency medical technicians who are trained to provide life sustaining treatments. This service should be called for life threatening situations.

Law Enforcement Services

These persons have varying levels of skill. At all times, they will help expedite emergency personnel to the scene and provide quicker access to elevators for emergency personnel.

Recommended Actions

Utilize trained personnel and safety precautions if the problem is minor.

Call 911. Emergency medical personnel will be dispatched to the location of the sick or injured person. Provide traffic controls for emergency vehicles and commandeer elevators if necessary to expedite transport of the ill person.

If you call for emergency ambulance service at **911** it is important to provide the dispatcher with your exact location to include floor, room number and closest entrance to your area. Understand too that **911** Emergency Service covers a wide area and the dispatch of a vehicle to your location may be prioritized depending on other calls being handled by the **911** dispatcher. The **911** System does identify all inbound calls to the **911** operator with the address of the building, and in some cases the floor and room number. If you do elect to call 911, it may be necessary to contact law enforcement and other appropriate agencies as deemed appropriate.

5.0 VITAL RECORDS PLANNING AND RECOVERY

Vital records are defined as information essential to the survival of an organization in the event of a disaster. Vital records typically makes up a small percentage of the vast amounts of the recorded data which is created by a typical organization, normally five percent. The range can vary depending on the business of the organization. However, a legal, medical, accounting and/or governmental organization may have a much higher proportion of active case files which are regarded as vital records.

Vital records may document legal and financial positions and preserve the rights of employees, customers and stakeholders in the event of disaster. If a vital record is lost, damaged, destroyed or otherwise rendered unavailable, that loss becomes a disaster within a disaster, affecting critical operations needed to recover from the initial disaster.

To assess the threat to vital records it is imperative that designated personnel identify specific risks, such as facility and equipment hazards that can result in flooding to records storage areas, risky storage practices that increase the risk of fire, and periodic electrical storms or tornadoes that could endanger digitally stored vital records. With electronic data you also need to consider poor care or storage---simple things like, spilled coffee, poor handling, equipment failure, extreme temperatures in server rooms, etc.

5.1 VITAL RECORDS: HOW TO ESTABLISH A BUSINESS CONTINUITY/ DISASTER RECOVERY PLAN

Why is a Vital Records or Business Continuity Program Important?

1. It supports the flow of communication and information,
2. Ensures continuation of service,
3. Retains customer confidence and court credibility,
4. Complies with Federal and State laws and regulations,
5. Provides the court with information it needs to conduct business under other than normal operating conditions and resume business afterwards,
6. Enables officials to identify and protect most important records,
7. Protects critical assets,
8. Continues operations or rapid resumption of court business,
9. Protects legal and financial rights,
10. Recovering damaged records,
11. Improved safety and security.

Examples of Vital Records (Not limited to the following):

1. Contracts and or agreements that prove ownership of property, equipment, vehicles, products, etc.
2. Operational records, accounting, legal, and tax records.
3. Current case or client files.
4. Current standard operating procedures (SOP's).

5. Produced reports and summaries.
6. Software installation media and source codes (to include both licensed programs and systems and custom developed applications).

In carrying out a vital records program, courts may:

1. Specify court staff responsibilities.
2. Ensure that all concerned staff is appropriately informed about vital records.
3. Ensure that vital records and copies of vital records are adequately protected, accessible, and immediately usable.

Essential Recovery Planning Elements

1. Determine the essential activities that the court must continue to perform under adverse operating conditions and the steps necessary to resume regular business operations.
2. Identify general categories of records that support essential activities and the resumption of normal business.
3. Identify which records contain information needed to protect the legal and financial rights of the court and those persons directly affected by actions of the court.

Develop a recovery plan for records that may be damaged, including:

- a) detailed descriptions of records media type
- b) storage location
- c) staging area locations for damage assessments
- d) locations and availability of emergency equipment
- e) up to date staff and vendor lists
- f) up to date recovery procedures with assigned responsibilities

6.0 COMMUNICATIONS

Communications Officers/Designees

The court should identify an emergency coordinating officer who will be the contact person for the court and coordinate emergency planning efforts. Personnel involved in communicating emergency plan efforts should include the Emergency Coordinating Officer (ECO) and public information officer (PIO) in order to ensure proper internal and external communications. These efforts are designed to ensure that the court is prepared to communicate successfully with judges, attorneys, parties, clerks and deputy clerks, sheriffs and deputy sheriffs, court administrators and staff, state and local public health officials, jurors, and the general public. Means of communication to be employed by the court can be made through social media platforms via courthouse websites, the Administrative Office of the Courts' website, or local media outlets, to include television and radio.

Public Relations Emergency Situation

Often a court's Public Information Officer (PIO), the Chief Judge, or Court Administrator will interact with the media. Direct all requests by the media for interviews to the Emergency Command Post.

Effective public relations increase positive relations. Avoid the negative. There are times in which the designated PIO will be approached negatively but the response must remain positive and neutral. The primary focus of a public information officer is to ensure that any media request for information, interviews or access is handled appropriately.

If you are approached by the media during a crisis situation:

- ✓ Avoid answering "No comment" to questions. It sounds as if information is being concealed. Instead, use "We will be issuing a statement shortly" or "We are investigating the situation, and are doing everything possible to ensure the safety of those involved" are preferred positive responses.
- ✓ Do not speculate on who is at fault or on the extent of the damage. Do not state anything that may need to be later retracted.
- ✓ Be sure appropriate attention is given to the media questions. During an emergency, those in charge will be dealing with numerous issues; an improper answer may be hastily given in the chaos.

For more information on effective communications during emergency situations, refer to [Crisis Communication Checklist](#)

With the advent of mobile camera crews, cellular telephones and recording devices, and satellite links, the media may appear on the scene and reporting about an incident before anyone really knows exactly what is happening. In these situations, no one can instantly provide a complete,

comprehensive statement as to all the relevant facts. A brief statement gives a media presence, expresses concern about the situation and may offer some general information about what has occurred

6.1 NOTIFICATION OF BUILDING EVACUATION PROCEDURES

Building occupants must be informed (property resource manager) in advance of the specific evacuation procedures that will be used in the event of any building evacuation and the location of the ASSEMBLY AREA assigned to an agency. Occupants will re-assemble in their designated ASSEMBLY AREA as established and trained by the agency Emergency Safety Coordinator.

In addition to the primary assembly area an alternate location may be identified as a designated ASSEMBLY AREA for high-profile personnel or if the primary cannot be accessed.

Those occupants not involved in control or mitigation measures will be evacuated from the area. Occupants who are not evacuated immediately should be kept advised through their Floor Coordinator.

EVACUATION PROCEDURES/ROUTES

Floor plans with evacuation routes are posted in the courthouse on every floor. They are normally located near the main elevator bank in multi-story buildings or in the lobby areas of single story facilities.

1. Lighted exit signs mark designated exit routes.
2. Occupants should close, but not lock doors behind them as they leave.
3. Doors should be touched prior to being opened. A hot door indicates fire on the opposite side, and the door should not be opened.
4. Stairwell doors should be kept closed except when people are moving through them.
5. If smoke is encountered, occupants should breathe through a handkerchief, or piece of clothing to reduce smoke inhalation. When trying to escape a hot or smoke-filled room, crawl on your hands and knees.
6. If clothing catches fire, people should **STOP, DROP, and ROLL**. Attempting to run will fan the flames and spread the fire.

If people become trapped in a room, the doors should be closed and the doorsill should be covered with a towel or other object to limit smoke infiltration. People should attempt to move to a perimeter area and signal for help from a window. Windows should not be broken out except as a last resort. Breaking a window may cause smoke infiltration from within the building due to pressure differentials or from smoke rising up the side of the building.

Do not use elevators to exit when a fire alarm sounds. Know the location of stairs and use them to make your way to the ground floor. If possible, call the proper authorities and advise them of your exact location and if fire blocks your exit route. Do not stop in the stairwell or at the exit/discharge area of the building. Continue to your designated ASSEMBLY AREA.

ENSURE A DIAGRAM OF ASSEMBLY AREAS IS PROVIDED TO ALL STAFF

1. A continuous uninterrupted fire alarm signal should prompt all personnel to evacuate a building regardless of whether verbal notification has been given or not.
2. Local law enforcement maintain primary responsibility for the scene and may order the evacuation of a building when there is evidence that there is a grave risk to life or property within a particular building.
3. Once personnel leave the building, they are to re-assemble in pre- designated ASSEMBLY AREA.

The Safety Coordinator should accurately identify all personnel in number and name to prevent confusion in the assembly areas. The Safety Coordinator will notify the Emergency Command post of the status of the head count as soon as it has been completed.

A chain-of-command protocol should be established for emergency staff, e.g., Office Coordinator reports to Floor Coordinator, Floor Coordinator reports to Building Coordinator (for multiple buildings), Building Coordinator reports to Safety Coordinator, Safety Coordinator reports to (list of emergency team leaders).

The ASSEMBLY AREA should be divided into separate groups of personnel, which will facilitate an accurate head count.

The Safety Coordinator will take a head count with name or by receiving reports from each department/unit lead member during any evacuation. The names and last known location of persons not accounted for should be determined and given to the Emergency Command Post.

6.2 EMERGENCY REPORTING PROTOCOL

Buildings owned and operated or occupied by a local government agency are subject to inspection pursuant to local government protocol, which may include the emergency management agency, the sheriff, local police or fire. Once you leave the building no one is to return inside until given the ALL CLEAR from the appropriate local government emergency authority.

7.0 ACKNOWLEDGEMENTS

The Judicial Council Strategic Plan Committee and the Administrative Office of the Courts of Georgia (AOC) would like to acknowledge the following persons and organizations that have provided information and support to the revised edition of the 2018 Judicial Council of Georgia Emergency Operation Manual.

Members of the Judicial Council Strategic Plan Sub-Committee on Emergency Preparedness and Continuity of Judicial Operations

Hon. Sara Doyle, Chair	Judge, Court of Appeals of Georgia
Hon. Keith Blackwell	Justice, Supreme Court of Georgia
Hon. Melanie Bell	Chief Judge, Newton County Probate Court
Hon. Eric Brewton	Judge, Cobb County State Court
Hon. Gregory Douds	Judge, Cherokee County Magistrate Court
Hon. Kim Gallant	Judge, Gwinnett County Magistrate Court
Hon. Samuel Ozburn	Judge, Superior Court, Alcovy Judicial Circuit
Hon. Tadia Whitner	Judge, Gwinnett County Juvenile Court
Michael Terry	Bondurant, Mixson & Elmore LLP
Bob Bray	Executive Director, Council of State Court Judges

Contributors: Stephanie Hines, Jessica Farah, J.D., and Michelle Barclay, J.D., and Tara Smith, Administrative Office of the Courts

Front cover design: Bruce Shaw, Administrative Office of the Courts

Judicial Council's Administrative Office of the Courts, Cynthia Clanton, Director

Acknowledgements for the 2005 Revised Edition of the Judicial Council Emergency Operations Plan

Hon. Hugh P. Thompson	Justice, Supreme Court of Georgia
Hon. Frank Eldridge	Judge, Court of Appeals of Georgia
Hon. Helen W. Harper	Judge, Dublin Municipal Court
Hon. Cliff Jolliff	Judge, Hall County Juvenile Court
Hon. N. Kent Lawrence	Judge, Clarke County State Court
Mr. William Martin, III	Clerk, Court of Appeals
Hon. Ralph E. Merck	Judge, DeKalb County Recorder's Court
Hon. Charles Mikell, Jr.	Judge, Court of Appeals of Georgia
Ms. Molly Perry	Exec. Director, Council of Superior Court Judges
Hon. D. Keith Scott, Jr.	Judge, Clayton County Magistrate Court
Ms. Sherie Welch	Clerk, Supreme Court of Georgia
Mr. Jay B. Martin	Deputy Director, AOC

Staff Collaborators

Mr. David Ratley, AOC Director
Ms. Helen Scholes, AOC

Mr. Michael Kendrick, AOC
Ms. Patricia Smith, AOC

7.1 Resources

[American Red Cross](#)

[Council of Superior Court Judges](#)

[Judicial Council/Administrative Office of the Courts](#)

[National Center for State Courts](#)

[U.S. Department of Homeland Security](#)

8.0 LIST OF APPENDICES

Appendix A. NCSC Eleven Core COOP Plan Elements

Appendix B. Orders of Succession and Delegation of Authorities

Appendix C. Contact Information for Key Decision-Makers and Successors

Appendix D. Judicial Emergency Act of 2004

Appendix E. Council of Superior Court Judges Courthouse Security Guide, Court Security Plan Template and Related Forms

8.1 APPENDIX A: NCSC Eleven Core COOP Plan Elements

Eleven Core Continuity of Operations Plan (COOP) Plan Elements

Prior to drafting a COOP, a court's leadership and planning team needs to gather information and make decisions about several key elements of the plan. The following eleven core COOP plan elements provides worksheets and instructions to assist the planning team with this task.

Worksheets can be found at [NCSC COOP Planning Guide](#).

Alert and Notification - sets forth policies and procedures for the formal emergency notification to employees through a system or variety of systems that an incident may occur or has occurred. The alert and notification system also provides response directions to employees and external stakeholders regarding acquisition of future information. The systems may include, but are not limited to, an organization's emergency telephone notification system; public announcement system; broadcast email; automated telephone messaging; call trees; in person contacts; or use of contracted alert and notification services.

Essential Functions - court functions that if not performed, would result in failure of the court or court unit's mission. When considering which functions are essential, they should be prioritized according to their impact on life, death, and freedom (vis-à-vis detention), and those that are required to maintain due process, civil authority and public safety, e.g. establishing by written order global tolling orders to extend statutes of limitations and filing or compliance deadline during periods when the court is not accessible.

Order of Succession - establishes a transfer of leadership and decision-making authority for the period of the COOP Plan activation.

Delegations of Authority - establishes successive lines of administrative approval and procurement authority for the period of COOP Plan activation.

Alternate Facilities - pre-screened and pre-approved alternate facilities to be used in the event the primary facility is unavailable. Where necessary, memoranda of understanding should be executed with the alternate site managers and updated annually.

Communications - procedures to gather, verify, and disseminate information to decision-makers, all personnel, law enforcement, external stakeholders, and the public.

Interoperable Communications - communication devices that provide the ability to communicate with internal and external stakeholders.

Vital Records, Databases, and Information Systems - the identification, protection and availability of vital records, databases, arrest warrant forms, and information systems to support essential functions.

Human Capital - plans and procedures that apply to court staff not directly involved with emergency response teams or operations particularly at an alternate facility. It also addresses

available crisis management services and any court sponsored network of services for employees and their families.

Devolution - ensures that the capability exists to transfer authority and responsibility for essential functions from a specific court office and primary work location to other court personnel in another court or at an alternate facility to sustain that court office's operational capability for an extended period of time if the primary office and/or personnel are unavailable or incapacitated.

Recovery/Reconstitution - steps to return operations to pre-event status.

**8.2 APPENDIX B:
Orders of Succession and Delegation of Authorities**

Instructions: In the first column, list key decision-makers (by position) responsible for the court’s essential functions. In the second column, list the designated successors for each decision-maker. It is important to list several backup successors. In the third column, specify whether the key decision-maker’s authorities to perform all functions are transferred to the successor or whether there are some limitations (e.g., authority to spend up to \$X without authorization). In the fourth column, identify the circumstances under which the successor’s authority is activated and terminated. In the last column, note where the authority, including when it is activated and terminated, is recorded. The first row provides an example. See [establish orders of succession and delegate authorities](#) in the *Guide* for more information.

Key Position	Successor	Delegated Authority(s)	Activation/Termination of Delegated	Documentation of Authority(s)
Chief Judge	Assistant Presiding Judge	All	<u>Activated:</u> Presiding Judge is not available during COOP plan activation	Court policies
	Senior Judge A	All	<u>Activated:</u> Presiding Judge is not available during COOP plan activation <u>Terminated:</u> Presiding Judge is available or emergency is over	Court policies
	Senior Judge B	All	<u>Activated:</u> Presiding Judge is not available during COOP plan activation <u>Terminated:</u> Presiding Judge is available or emergency is over	Court policies

8.3 APPENDIX C:

Contact Information for Key Decision-Makers and Successors

Instructions: In the first column, list each key position and successor named on [Worksheet E](#). In the second column, identify the current occupant of the position and his or her contact information in the event of an emergency. The first two rows provide examples. See [establish orders of succession and delegate authorities](#) in the *Guide* for more information.

Key Position/Successor (Title)	Contact Information
Presiding Judge	Name: Office phone: Home phone: Cell phone: Pager: Office Email Home Email: Home address Nearest contact outside of city:
Assistant Presiding Judge	Name: Office phone: Home phone: Cell phone: Pager: Office Email Home Email: Home address Nearest contact outside of city:
	Name: Office phone: Home phone: Cell phone: Pager: Office Email Home Email: Home address Nearest contact outside of city:
<i>(Include as many additional rows as necessary)</i>	

8.4 APPENDIX D: Judicial Emergency Act of 2004

Judicial Emergency Act of 2004

O.C.G.A. § 38-3-60. Definitions

As used in this part, the term:

(1) "Authorized judicial official" means any of the following officials when acting with regard to his or her respective jurisdiction:

- (A) The Chief Justice of the Georgia Supreme Court;
- (B) The Chief Judge of the Georgia Court of Appeals;
- (C) A chief judge of a Georgia superior court judicial circuit; or
- (D) The replacement for or successor to any of the officials set forth in subparagraphs (A) through (C) of this paragraph, as determined by the applicable rules of incapacitation and succession, should such official become incapacitated or otherwise unable to act.

(2) "Judicial emergency" means:

- (A) A state of emergency declared by the Governor under Part 1 of this article;
- (B) A public health emergency under Code Section 31-12-1.1;
- (C) A local emergency under Code Section 36-69-2; or
- (D) Such other serious emergency

when, as determined by an authorized judicial official, the emergency substantially endangers or infringes upon the normal functioning of the judicial system, the ability of persons to avail themselves of the judicial system, or the ability of litigants or others to have access to the courts or to meet schedules or time deadlines imposed by court order or rule, statute, or administrative rule or regulation.

HISTORY: Code 1981, § 38-3-60, enacted by Ga. L. 2004, p. 420, § 3.
emergency declaration; designation of alternative facility in lieu of court
O.C.G.A. § 38-3-61. Declaration of judicial emergency; duration of judicial
emergency declaration; designation of alternative facility in lieu of court

(a) An authorized judicial official is authorized to declare the existence of a judicial emergency which shall be done by order either upon his or her own motion or upon motion by any interested person. The order shall state:

(1) The identity and position of the issuing authorized judicial official;

(2) The time, date, and place at which the order is executed; (3)

The jurisdiction or jurisdictions affected by the order;

(4) The nature of the emergency necessitating the order;

(5) The period or duration of the judicial emergency; and

(6) Any other information relevant to the suspension or restoration of court operations.

(b) An order declaring the existence of a judicial emergency shall be limited to an initial duration of not more than 30 days; provided, however, that the order may be modified or extended for no more than two periods not exceeding 30 days each. Any modification or extension of the initial order shall require information regarding the same matters set forth in subsection (a) of this Code section for the issuance of the initial order.

(c) In the event the circumstances underlying the judicial emergency make access to the office of a clerk of court or a courthouse impossible or impractical, the order declaring the judicial emergency shall designate another facility, which is reasonably accessible and appropriate, for the conduct of court business.

HISTORY: Code 1981, [§ 38-3-61](#), enacted by Ga. L. 2004, p. 420, § 3.

O.C.G.A. § 38-3-63. Notification to other judicial officials and public

Upon an authorized judicial official issuing an order declaring the existence of a judicial emergency, or any modification or extension of such an order, the authorized judicial official issuing the order, modification, or extension to the extent permitted by the circumstances underlying the judicial emergency shall:

(1) Immediately notify the Chief Justice of the Georgia Supreme Court of the action; (2) Notify and serve a copy of the order, modification, or extension on the judges and

clerks of all courts sitting within the jurisdictions affected and on the clerks of the Georgia Court of Appeals and the Georgia Supreme Court, such service to be accomplished through reasonable means to assure expeditious receipt; and

(3) Give notice of the issuance of the order, modification, or extension to the affected parties, counsel for the affected parties, and the public. Notice shall be provided by whatever means are reasonably calculated to reach the affected parties, counsel for the affected parties, and the

public and may, without limitation, include mailing, publication in a newspaper of local or state-wide distribution, posting of written notices at courthouses and other public gathering sites, transmittal by facsimile or e-mail, and announcements on television, radio, and public address systems.

HISTORY: Code 1981, [§ 38-3-63](#), enacted by Ga. L. 2004, p. 420, § 3.

O.C.G.A. § 38-3-64. Appeal rights of adversely affected parties; cost of appeal borne by state

(a) Any person whose rights or interests are adversely affected by an order declaring the existence of a judicial emergency or any modification or extension of such an order shall be entitled to appeal.

(b) A notice of appeal shall be filed no later than 45 days after the expiration of the judicial emergency order, or any modification or extension of a judicial emergency order, from which an appeal is sought. A notice of appeal shall be filed with the clerk of a superior court in any jurisdiction affected by the order and shall be served upon:

(1) The authorized judicial official who issued the order;

(2) The parties to any criminal proceeding or civil litigation in which the appellant is involved which would be affected by the appeal;

(3) The district attorney of the county in which the notice of appeal is filed; and

(4) All other parties in any criminal proceeding or civil litigation which would be affected by the appeal; provided, however, that service in this regard shall be accomplished by publishing notice of the filing of the appeal in the newspaper which is the legal organ for the county in which the notice of the appeal is filed.

(c) The appeal shall be heard immediately by the Georgia Court of Appeals under the procedure of emergency motions. A party dissatisfied by the judgment of the Georgia Court of Appeals may appeal as a matter of right to the Georgia Supreme Court. Filing fees for these appeals shall be waived. All costs of court shall be borne by the state. Appeals shall be heard expeditiously.

HISTORY: Code 1981, [§ 38-3-64](#), enacted by Ga. L. 2004, p. 420, § 3.

8.5 APPENDIX E: Council of Superior Court Judges Courthouse Security Guide and Court Security Plan Accompanying Forms and Order Samples

[CSCJ-GSA Georgia Courthouse Security Standards](#)

Date _____

COURT SECURITY PLAN

FOR _____

Pursuant to O.C.G.A. § 15-16-10(a)(10) this plan has been developed for the security of the _____ and to assure the safety and protection of the public, the employees, the constitutional officers and all who enter this facility.

CONTENTS OF THE PLAN

- I. Administration and Management
 - A. Deputy Training
 - B. Employee screening, training
 - C. Communication

- II. Operations and Services
 - A. Access control, policies and procedures
 - B. Perimeter security, signage, parking
 - C. Interior security
 - D. Courtroom and judicial security
 - E. Inmate security
 - F. Emergency Planning

The sheriff is required by law to (1) attend, by himself or his deputy, upon all sessions of the superior court of the county and also upon sessions of the probate court whenever required by the judge thereof and, while the courts are in session, never to leave same without the presence of himself or his deputy, or both, if required; and (2) develop and implement a comprehensive plan for the security of the county courthouse and any courthouse annex. Prior to the implementation of any security plan, the plan shall be submitted to the chief judge of the superior court of the circuit wherein the courthouse or courthouse annex is located for review. O.C.G.A. §§ 15-16-10(a)(2) and (10). The following is the plan developed by the sheriff of this county and approved by the chief judge of the superior court of this county, as required by law.

I. ADMINISTRATION AND MANAGEMENT

- A. Deputy, security staff training – (Ga. Sheriffs Assn, CIT, judges, etc.)
- B. Employee screening, training – (Custodians, daytime employees, independent contractors)
- C. Communication – (Incident reporting, ongoing training)

II. OPERATIONS AND SERVICES

- A. Access control, policies and procedures – (Screening at building entrance and/or courtroom entrance, forbidden items, (e.g. firearms), employee entrance, ID badges)
- B. Perimeter security, signage, parking – (Building perimeter survey daily, signs describing prohibited items, secured (or reserved) parking)

- C. Interior security – (Mail and package handling, access control, distress alarms in offices, fire alarms, emergency/auxiliary power, public waiting area scan)

- *D. Courtroom and judicial security – (Courtroom sweeps, physical placement of deputies, conferring with judge/clerk, firearms policy, escorting judges)

- E. Inmate Security – (Restraints in/out of courtroom, scanning holding cells before/after court, escorting)

- F. Emergency planning – (Bomb threats, inmate escape, active shooter, fire, etc.)
Consider – building layout, workforce size, rendezvous points, communication.

Approved, this ____ day of _____, 20__.

Sheriff, _____ County, Georgia

Chief Judge, Superior Court of
_____ County, Georgia

* Attach and incorporate "Basic Courtroom Security Guidelines"



BASICS OF COURTROOM SECURITY

— A Bench Card for Judges —

Appropriate security is vital to ensuring that our courts are open and accessible to the public thereby promoting trust and confidence in a judicial system as a whole.

COURTROOM SECURITY GOALS

1. Protect the judge and all those present from harm.
2. Maintain the safety and integrity of the jury.
3. Prevent the escape of an inmate.
4. Minimize the risk of disruption of court proceedings.
5. Respond to emergencies.

COURT DEPUTIES & BAILIFFS

1. Before courtroom is unlocked and open to the public:
 - (a) Conduct security sweep of entire room, including bench, jury room, and underneath all tables, chairs, benches, above and underneath shelves of the podium, and trash cans (including between the can and liner).
 - (b) Confer with clerk and/or prosecutor about any cases that may require heightened security awareness and separated seating of parties, observers or families.
 - (c) **[Deputies Only]** Assign physical placement of deputies in courtroom to assure:
 - (i) observation of gallery and parties standing before bench and witnesses;
 - (ii) ability to intercept anyone approaching bench, if necessary, or attacking the defendant;
 - (iii) ability to stop in-custody defendant attempting to escape and otherwise control an in-custody defendant who becomes unruly; and
 - (iv) ability to intercede if a defendant or other litigant, witness or observer gets aggressive.
 - (d) Confer with presiding judge concerning his/her preferences, e.g., how to announce opening of court, how documents are to be presented to court (by attorney, deputy or bailiff), etc.
 - (e) Alert judge of potential security issues including any concerns with cases on the calendar and any plans to address the issues.
 - (f) Make sure you are clear on judge's position regarding headwear and prohibited items, including how you are to respond.
 - (g) Refer to the court security plan for additional security and emergency procedures.
2. After courtroom is unlocked and open to the public:
 - (a) Observe all persons entering courtroom to assure that security issues related to seating are addressed. *See 1(b) above.*
 - (b) Follow local policies regarding headwear and prohibited items. *See 1(f) above.*
 - (c) Take assigned positions in courtroom. *See also 1(c) above.*
3. During court:
 - (a) Do not lock, bar or block courtroom doors unless emergency arises such as a loose gunman or escaped prisoner, as directed by court security plan.
 - (b) Follow physical placement plan. *See also 1(c) above.*
4. Demeanor and professionalism:
 - (a) Be courteous.
 - (b) Consult with judge if unsure of response to an unexpected situation. *See also 1(d)-(e) above.*
 - (c) Pay attention.
 - (d) Maintain a professional image.

PRESIDING JUDGE

1. Before courtroom is unlocked and open to the public:
 - (a) Discuss your preferences concerning interaction between attorneys, litigants and court. *See also 1(d) above.*
 - (b) Discuss any special security cases or concerns. *See also 1(b) above.*
2. During court:
 - (a) Upon taking bench, announce that proceedings are public and that the doors are not to be locked. *See also 3(a) above.*
 - (b) Know and practice your escape route and emergency evacuation procedures.
3. Demeanor and professionalism:
 - (a) Always be accessible to deputy, bailiffs and court staff to discuss/address unexpected situations.
 - (b) Pay attention.
 - (c) Maintain a professional image.

LEADERSHIP ROLE OF THE JUDGE

Set the tone for the importance of security.
Collaborate with county officials and Sheriff.
Communicate and be open to suggestions.
Be active in security and emergency planning and awareness.

IMPORTANT LEGAL AUTHORITY

O.C.G.A. § 15-6-35: *Selection and appointment of bailiffs* – allows for the sheriff to select bailiffs with the court's approval and for judges to appoint additional bailiffs

O.C.G.A. § 6-11-127: *Carrying weapons in unauthorized locations* – describes when it is not permissible to carry a weapon in a courthouse

O.C.G.A. § 15-16-10: *Duties of Sheriffs* – includes duty to be in court for Superior Court and Probate court and to develop a court security plan

O.C.G.A. § 16-11-130: *Exemptions to carrying weapons* – describes who is permitted to carry weapons by virtue of their current or former position

RESOURCES

Georgia Standards for the Security of Courthouses and Other Court Facilities
Judicial Council of Georgia Emergency Operations Plan
CCJ/COSCA Court Security Handbook (NCSC)
Steps to Best Practices for Court Building Security (NCSC)



GEORGIA DEPARTMENT OF LAW

40 Capitol Square SW
Atlanta, Georgia 30334-1300

CHRISTOPHER M. CARR
ATTORNEY GENERAL

www.law.ga.gov
(404) 656-3300

OFFICIAL OPINION

Colonel Mark McDonough
Commissioner, Georgia Department of Public Safety
Post Office Box 1456
Atlanta, Georgia 30371-1456

Re: While Georgia law permits certain law enforcement personnel and others to carry firearms into a courthouse building, a judge may still control who may enter and carry firearms within his or her own courtroom.

Dear Colonel McDonough:

You have asked whether Department of Public Safety ("DPS") law enforcement officers may, pursuant to O.C.G.A. § 16-11-130(c.1)(1), carry their service weapons and handguns into courtrooms while performing their official duties.¹ For the reasons that follow, I conclude that this statute, as amended by the General Assembly during the 2017 session, permits DPS officers to carry their service weapons and handguns into courthouses, but does not authorize their entry into courtrooms where the courthouse's security plan and/or judges of that court have directed otherwise. *See* 2017 Ga. Laws 555, 560-63 (H.B. 292, Sec. 7).

Generally, under Georgia law, a person may not carry a weapon or a long gun as defined by statute into a courthouse unless they fall within certain statutorily created exceptions. *See* O.C.G.A. §§ 16-11-127(b)(2), 16-11-127(d) and (e). A "courthouse" is defined as "a building or annex occupied by judicial courts and containing rooms in which judicial proceedings are held." O.C.G.A. § 16-11-130(c.1)(1)(B). In relation to courthouses, however, the General Assembly in the aforementioned legislation created a specific exception permitting a number of statutorily-defined persons to carry firearms into courthouses, including "active law enforcement officers." In doing so, the law now provides:

Notwithstanding a security plan implemented by law enforcement personnel . . . active law enforcement officers referred to in subsection (c) of this Code section shall be authorized to carry their service handguns and weapons in any courthouse if they are wearing the assigned uniform of their law enforcement office or

¹ Your request attaches a memorandum from the Sheriff of Glynn County stating that outside law enforcement personnel are not authorized to enter any Glynn County courtroom, court clerk's office, or other designated areas of the Glynn County courthouse while armed. Your request also attaches an Order from the Chief Judge of the Superior Court of Glynn County prohibiting all persons other than the Sheriff and his deputies from possessing firearms in the actual courtrooms unless authorized in writing by a judge of the court.

have the official badge and identification credentials issued to them by their law enforcement office displayed and plainly visible on their person while in the performance of their official duties.

O.C.G.A. § 16-11-130(c.1)(3). DPS officers are “active law enforcement officers” as defined and included in this statute. O.C.G.A. § 16-11-130(c)(2)(B). Officers falling outside this exception may instead be required to place their weapons into holding upon entry into restricted or screened areas of a courthouse. O.C.G.A. § 16-11-130(c.1)(2).

Under Georgia law:

[T]he cardinal rule of statutory construction “look[s] diligently for the intention of the General Assembly,” *Judicial Council v. Brown & Gallo, LLC*, 288 Ga. 294, 296-97 (2010), and “the ‘golden rule’ of statutory construction . . . requires us to follow the literal language of the statute ‘unless it produces contradiction, absurdity, or such an inconvenience as to insure that the legislature meant something else.’” *Telecom*USA v. Collins*, 260 Ga. 362, 363 (1990) (quoting *Dept. of Transp. v. City of Atlanta*, 255 Ga. 124, 137 (1985) (Clarke, J., concurring specially)).

2016 Op. Att’y Gen. 2016-5. The plain language of O.C.G.A. § 16-11-130(c.1)(3) authorizes active DPS officers, among others, to carry service weapons and handguns into courthouses without the requirement that their service weapons and handguns be placed into holding upon entry into the restricted or screened area of the courthouse. *See* O.C.G.A. § 16-11-130(c.1). While the law does not require that DPS officers be permitted to carry service weapons and handguns into any specific, named areas of the courthouse, the language of the statute and the authority provided in the statute is broad and there is no basis to read into the statute restrictions on particular areas of a courthouse. The law grants that broad access “[n]otwithstanding a security plan implemented by law enforcement personnel.” O.C.G.A. § 16-11-130(c.1)(3).

However, that conclusion does not end the inquiry. A courthouse building may contain any number of county offices, but the actual courtrooms are governed by different standards than other locations within a courthouse. Under Georgia law, “Every court has power to . . . preserve and enforce order in its immediate presence and, as near thereto as is necessary, to prevent interruption, disturbance, or hindrance to its proceedings [and] . . . control, in the furtherance of justice, the conduct of its officers and all other persons connected with a judicial proceeding before it, in every matter appertaining thereto.” O.C.G.A. § 15-1-3(1), (4). In 1973, this office addressed the meaning of these provisions under the previous Georgia Code of 1933, concluding that:

The above quoted law clearly illuminates the fact that the power to provide security of the courtroom has been granted to the court.
Code 24-2813 and 24-3351 (the last section unofficially codified

as Ga. Code Ann. 24-3379) provide the "tools" which allow the court to implement its authority . . . From the law discussed above, the following may be gleaned. The power to control the courtroom is granted to the court. This power may be implemented, if necessary, by use of the sheriff, his deputies, or bailiffs appointed either by the court or by the sheriff. It is, therefore, my official opinion that the court, assisted by the sheriff of the county, is responsible for undertaking measures necessary to insure the safety of the court during a [court] proceeding.

1973 Op. Att'y Gen. 73-57 (1973 Ga. AG LEXIS 57.)

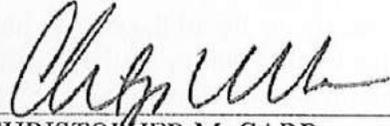
This interpretation of Georgia law is consistent with the concept that the judiciary has inherent authority to control conduct in courtrooms, including security. A court has the inherent authority to resolve conflicts between the Constitution and statutory law. *Lathrop v. Deal*, 301 Ga. 408, 432 (2017). In doing so, it must be recognized that the powers of the legislative and judicial branches are separate and distinct. GA. CONST., Art. I, Sec. II, Para. III. This doctrine of separation of powers "invests those officials charged with the duty of administering justice according to law with all necessary authority to efficiently and completely discharge those duties the performance of which is by the constitution committed to the judiciary, and to maintain the dignity and independence of the courts." *Lovett v. Sandersville R.R.*, 199 Ga. 238, 239-240 (1945). It is also well-established that courts have the power to control conduct in their proceedings, which includes security. *See generally* O.C.G.A. § 15-1-3; *see also In re Judicial Qualifications Comm'n Formal Advisory Opinion No. 239*, 300 Ga. 291, 302 (2016) (providing that courts are "charged with adopting and maintaining reasonable measures to provide security...") (quotations and citations omitted); *Weldon v. State*, 297 Ga. 537, 540-41 (2015) (recognizing court's authority to implement security measures); O.C.G.A. § 15-16-10(a)(10) (requiring the sheriff with jurisdiction over the courthouse to create a comprehensive security plan, but maintaining that the plan must be approved by the chief judge). *See also State v. LaFrance*, 471 A.2d 340, 344-346 (N.H. 1983) ("[I]t is clear that trial judges, subject to [appellate] review, have authority under the judicial power of the constitution to control the wearing of firearms in the courtroom.").

Given the above provisions, I conclude that the General Assembly in the exercise of its legislative authority has authorized active law enforcement officers under the circumstances prescribed in O.C.G.A. § 16-11-130(c.1) to carry weapons into a courthouse building without restriction in the areas within the building that this may be done. However, a judge of the court may, in the exercise of his or her constitutional, statutory and inherent authority, determine whether those same law enforcement officers may carry their weapons into a courtroom.

Colonel Mark McDonough
Page 4

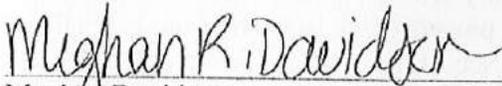
Issued this 4th day of December, 2017.

Sincerely,



CHRISTOPHER M. CARR
Attorney General

Prepared by:



Meghan Davidson
Assistant Attorney General

OFFICIAL OPINION

Judicial Operations Cheat Sheet

This cheat sheet is designed to assist you in creating or updating an emergency judicial operations plan for your circuit. Ultimately the responsibility for creating and maintaining an Emergency Judicial Operations Plan lies with the Chief Judge of the Superior Court of the Circuit. However, in creating the plan it is important to identify and include all stakeholders and consider broader emergency issues that occur concurrently. The authority for such a plan is found in Uniform Superior Court Rule 45. This plan is separate from the Security plan required by O.C.G.A, 15-16-10 but should necessarily take into account the security plan as there is overlap in many situations. The plan should also take into account County, State, and Public Health Emergency response plans and should be seen as an integral part of these broader responses.

This cheat sheet is intended to help you identify decision makers, sources of authority, potential types of emergencies, disasters or disruptions, and formulate a response. The cheat sheet is also intended to assist you in creating a plan for communication, training and continuity. In addition, there is a section to guide you in assigning responsibility in the areas of damage assessment and recovery.

Courts play a critical role in each community and need to be prepared for all eventualities. While we hope you never have to handle a judicial disruption or emergency, there is simply no substitute for preparation if you must.

This cheat sheet was prepared by the Security Committee of the Council of Superior Court Judges to be utilized in creating specific plans for each Judicial Circuit, recognizing the wide variation in resources, population, stakeholders and decision makers that exist in the circuits across our State. The committee has attempted to account for these variations in the workbook sections recognizing the plan will be very different in multicounty circuits versus single county circuits, rural versus metropolitan, abundant resource circuits versus limited resource circuits, and large land area versus small land area circuits.

Basic Circuit Information Sheet - Collect the following Information before your first planning meeting

1) County _____

Superior Court Location _____

Superior Court Judges with main offices at this location _____

Security Contact Name and Number for this Courthouse _____

Other Offices in this Courthouse Location, Contact Name and Number for each Office _____

Other Courthouses in other locations in this County

State Court _____, Judge(s) _____

Security Contact Name and Number for this Courthouse _____

Juvenile Court _____, Judge(s) _____

Security Contact Name and Number for this Courthouse _____

Magistrate Court _____, Judge(s) _____

Security Contact Name and Number for this Courthouse _____

2) County _____

Superior Court Location _____

Superior Court Judges with main offices at this location _____

Security Contact Name and Number for this Courthouse _____

Other Offices in this Courthouse Location, Contact Name and Number for each Office _____

Other Courthouses in other locations in this County

State Court _____, Judge(s) _____

Security Contact Name and Number for this Courthouse _____

Juvenile Court _____, Judge(s) _____

Security Contact Name and Number for this Courthouse _____

Magistrate Court _____, Judge(s) _____

Security Contact Name and Number for this Courthouse _____

3) County _____

Superior Court Location _____

Superior Court Judges with main offices at this location _____

Security Contact Name and Number for this Courthouse _____

Other Offices in this Courthouse Location, Contact Name and Number for each Office _____

Other Courthouses in other locations in this County

State Court _____, Judge(s) _____

Security Contact Name and Number for this Courthouse _____

Juvenile Court _____, Judge(s) _____

Security Contact Name and Number for this Courthouse _____

Magistrate Court _____, Judge(s) _____

Security Contact Name and Number for this Courthouse _____

4) County _____

Superior Court Location _____

Superior Court Judges with main offices at this location _____

Security Contact Name and Number for this Courthouse _____

Other Offices in this Courthouse Location, Contact Name and Number for each Office _____

Other Courthouses in other locations in this County

State Court _____, Judge(s) _____

Security Contact Name and Number for this Courthouse _____

Juvenile Court _____, Judge(s) _____

Security Contact Name and Number for this Courthouse _____

Magistrate Court _____, Judge(s) _____

Security Contact Name and Number for this Courthouse _____

5) County _____

Superior Court Location _____

Superior Court Judges with main offices at this location _____

Security Contact Name and Number for this Courthouse _____

Other Offices in this Courthouse Location, Contact Name and Number for each Office _____

Other Courthouses in other locations in this County

State Court _____, Judge(s) _____

Security Contact Name and Number for this Courthouse _____

Juvenile Court _____, Judge(s) _____

Security Contact Name and Number for this Courthouse _____

Magistrate Court _____, Judge(s) _____

Security Contact Name and Number for this Courthouse _____

6) County _____

Superior Court Location _____

Superior Court Judges with main offices at this location _____

Security Contact Name and Number for this Courthouse _____

Other Offices in this Courthouse Location, Contact Name and Number for each Office _____

Other Courthouses in other locations in this County

State Court _____, Judge(s) _____

Security Contact Name and Number for this Courthouse _____

Juvenile Court _____, Judge(s) _____

Security Contact Name and Number for this Courthouse _____

Magistrate Court _____, Judge(s) _____

Security Contact Name and Number for this Courthouse _____

7) County _____

Superior Court Location _____

Superior Court Judges with main offices at this location _____

Security Contact Name and Number for this Courthouse _____

Other Offices in this Courthouse Location, Contact Name and Number for each Office _____

Other Courthouses in other locations in this County

State Court _____, Judge(s) _____

Security Contact Name and Number for this Courthouse _____

Juvenile Court _____, Judge(s) _____

Security Contact Name and Number for this Courthouse _____

Magistrate Court _____, Judge(s) _____

Security Contact Name and Number for this Courthouse _____

8) County _____

Superior Court Location _____

Superior Court Judges with main offices at this location _____

Security Contact Name and Number for this Courthouse _____

Other Offices in this Courthouse Location, Contact Name and Number for each Office _____

Other Courthouses in other locations in this County

State Court _____, Judge(s) _____

Security Contact Name and Number for this Courthouse _____

Juvenile Court _____, Judge(s) _____

Security Contact Name and Number for this Courthouse _____

Magistrate Court _____, Judge(s) _____

Security Contact Name and Number for this Courthouse _____

I. Identify Decision Makers, Source and Scope of Authority and Specific Responsibilities

Pursuant to Uniform Superior Court Rule 45, the declaration of and response to a Judicial Emergency or Disruption is the responsibility of the Chief Judge of the Superior Court. The Chief Judge shall have the power to declare an emergency, close a court building and extend statutory filing deadlines.

Who is the Chief Judge? _____

Where is the Chief Judge's Office and Home? _____

Contact Phone Numbers and email address for the Chief Judge: Cell _____

Office _____, Home _____, Email _____

If the Chief Judge is unavailable, who is designated to act in his/her absence _____

Alternative Designee Address _____

Contact Phone Numbers and email address for the Alternate: Cell _____

Office _____, Home _____, Email _____

County Emergency/Disaster Response is governed by:

Who is the decision maker? _____

Contact Information for decision maker Cell _____ home _____

Email _____ Office _____

Is the decision maker different dependent on nature of emergency or disaster? _____

Note alternate decision makers and specific scenarios that would require alternate decision makers and contact information for each. _____

State Disaster/Emergency Response is governed by and communicated by or to:

Questions about State Emergency Management issues should be directed to:

Law Enforcement

Law Enforcement will respond to many occurrences that are also judicial emergencies.

County 1) Sheriff _____ Contact Name and Number _____

Alternate Contact Name and Number _____

City Law Enforcement Agencies in this County, Contact Name, Number _____

GBI or GSP Offices in this County, Contact Name and Number _____

County 2) Sheriff _____ Contact Name and Number _____

Alternate Contact Name and Number _____

City Law Enforcement Agencies in this County, Contact Name, Number _____

GBI or GSP Offices in this County, Contact Name and Number _____

County 3) Sheriff _____ Contact Name and Number _____

Alternate Contact Name and Number _____

City Law Enforcement Agencies in this County, Contact Name, Number _____

GBI or GSP Offices in this County, Contact Name and Number _____

County 4) Sheriff _____ Contact Name and Number _____

Alternate Contact Name and Number _____

City Law Enforcement Agencies in this County, Contact Name, Number _____

GBI or GSP Offices in this County, Contact Name and Number _____

County 5) Sheriff _____ Contact Name and Number _____

Alternate Contact Name and Number _____

City Law Enforcement Agencies in this County, Contact Name, Number _____

GBI or GSP Offices in this County, Contact Name and Number _____

County 6) Sheriff _____ Contact Name and Number _____

Alternate Contact Name and Number _____

City Law Enforcement Agencies in this County, Contact Name, Number _____

GBI or GSP Offices in this County, Contact Name and Number _____

County 7) Sheriff _____ Contact Name and Number _____

Alternate Contact Name and Number _____

City Law Enforcement Agencies in this County, Contact Name, Number _____

GBI or GSP Offices in this County, Contact Name and Number _____

County 8) Sheriff _____ Contact Name and Number _____

Alternate Contact Name and Number _____

City Law Enforcement Agencies in this County, Contact Name, Number _____

GBI or GSP Offices in this County, Contact Name and Number _____

Community & Faith Based Emergency Response Resources:

II. Types of Emergencies or Disasters which can result in a Judicial Emergency

Weather – Tornado, Hurricanes, Ice /Snow

Where will you get your information to assess the threat? _____

When and How will the decision to close a courthouse be made by the Chief Judge or his/her designee? _____

Shall court operations be relocated and if so where? _____

How and when shall the appropriate order be written and filed? _____

What role shall county officials play in making this decision? _____

How will the decision be communicated to other judges, other classes of court, staff and the public? _____

By Whom will the decision be communicated? _____

What specific information should be included? _____

Building Issues – Gas Leak, Flooding, Power Outage, Water Outage

Where will you get your information to assess the extent and consequences of the problem? _____

When and How will the decision to close a courthouse be made by the Chief Judge or his/her designee? _____

Shall court operations be relocated and if so where? _____

How and when shall the appropriate order be written and filed? _____

What role shall county officials play in making this decision? _____

How will the decision be communicated to other judges, other classes of court, staff and the public? _____

By Whom will the decision be communicated? _____

What specific information should be included? _____

Fire

How do we confirm all staff has evacuated the building? What about during lunch hours?

Who is responsible for confirming evacuation? _____

How do we account for the members of the public present in the building during a fire evacuation? _____

How do we account for those staff members and members of the public present in the building, with special needs or who need the elevator in the event of a fire? _____

Who gives the all clear following an alarm to re-enter the building? _____

If the building is damaged by fire who makes a decision about whether it must remain closed? _____

What role shall the Chief Judge play in making this decision? _____

Shall court operations be relocated and if so where? _____

How and when shall the appropriate order be written and filed? _____

How will the decision be communicated to other judges, other classes of court, staff and the public? _____

By Whom will the decision be communicated? _____

What specific information should be included? _____

Security Emergencies – Bomb Threat, Escaped Inmate, Active Shooter, Civil Unrest, Suspicious Package, Emotionally or Mentally Unstable Person

Are these emergencies accounted for in our Security Plan? _____

IF NOT THE PLAN SHOULD BE UPDATED IMMEDIATELY

What role do non-law enforcement staff have to play in each of these scenarios? (, i.e. evacuating self or others, sheltering in place, notifying security, reporting potential threats, or making note of important details)

Bomb Threat _____

Escaped Inmate _____

Active Shooter _____

Civil Unrest _____

Suspicious Package _____

Emotionally/Mentally Unstable Person _____

How do we train or notify courthouse staff in all departments about their roles and responsibilities in a security emergency? _____

How often is the training updated or reviewed for staff? _____

How often are emergency drills conducted and by whom? _____

Have we identified a contact and alternate contact in each department or constitutional office in the courthouse? _____

How often is this information updated? _____

How do we confirm all staff has evacuated the building or is otherwise accounted for? What about during lunch hours?

Who is responsible for confirming accounting for employees evacuated or sheltered in place? _____

How do we account for the members of the public present in the building during a security emergency? _____

How do we account for those staff members and members of the public present in the building, with special needs or who need the elevator in the event of a security emergency?

III. Response to a Judicial Emergency

In the event of a Judicial Emergency the Chief Judge, in consultation, with the relevant stakeholders should work through the following checklist and take the appropriate steps to keep the Courts operational and to limit disruptions to its important functions.

What mission critical functions have been affected or disrupted by the event? _____

Who are mission critical staff necessary to the effective functioning of the court system? _____

Is a Judicial Emergency Order necessary to adjust statutory deadlines or relocate Court for a period of time? _____

If it is necessary to relocate Court,

Where shall it be relocated? _____

What physical items are necessary to hold court? _____

What technology is necessary to hold court? _____

What security is necessary to hold court? _____

How long shall it be relocated? _____

How shall staff and the public be notified and by whom? _____

IV. Damage Assessment & Recovery

Who is responsible for initial damage assessment in Superior Court? _____

Who is responsible for initial damage assessment in each court related agency or department?

District Attorney _____

Public Defender _____

Department of Community Supervision _____

Clerk of Superior Court _____

State Court _____

V. Resources

Judicial Emergency - O.C.G.A. § 38-3-60 - O.C.G.A. § 38-3-64

Emergency Management Definitions/ Public Health Emergency - O.C.G.A. § 38-3-3

Emergency Powers of the Governor/Public Health Emergency - O.C.G.A. § 38-3-51

Governor, General Assembly, Political Subdivisions - O.C.G.A. § 38-3-52 - O.C.G.A. § 38-3-55

Court Emergency Measures - Uniform Superior Court Rule 45

National Center for State Courts Publications - <http://www.ncsc.org/services-and-experts/areas-of-expertise/emergency-planning-and-security/planning-guide.aspx>

<http://www.ncsc.org/Services-and-Experts/Areas-of-expertise/Emergency-planning-and-security.aspx>

