

**LOUISIANA DISTRICT JUDGES  
ASSOCIATION**



**2006  
DISASTER  
RECOVERY  
TEMPLATE**

**A GUIDE TO  
PREPAREDNESS**

## **CHAIRMAN'S REMARKS**

On August 26<sup>th</sup>, 2005, each of us left our courthouses for the weekend fully expecting to return to them on Monday morning. None of us imagined the devastation that would come on Monday as Hurricane Katrina and the breached levees ravaged Southeast Louisiana and the Gulf Coast. We had not even caught our collective breath when Hurricane Rita bore down on the Southwest corner of our state. We could not have imagined it, but we might have been better prepared.

As judges, we are charged with the responsibility of ensuring the public's continued access to Louisiana's courts. We must, therefore, resolve to never again evacuate our courts without a plan of recovery in place.

This plan must give consideration to natural disasters that affect multiple parishes, terrorist attacks, environmental threats, fires and any other event that would threaten the normal functions of the court. A thorough plan must include an understanding of the constitutional and statutory provisions invoked by a disaster; a line of succession of those charged with the responsibility for declaring the disaster and implementing the plan; the delegation of authority; alternate facilities to resume operations in the event any courthouse is rendered unusable; the safekeeping of vital records; administrative and logistical planning within the court and with all justice partners; personnel management; security; and communications.

On October 28, 2005 at the first meeting of the District Judges Association following Hurricanes Katrina and Rita, Judge Ricky Wicker (then LDJA President - 24<sup>th</sup> JDC), appointed a committee to study and implement such a plan. I am privileged to have been appointed to chair the work of this committee.

The goal of the Disaster Recovery Planning Committee was to give consideration to the development of a Model Continuity of Operations Plan for Louisiana's District Courts. In approving the appointment of the Committee and appropriating funds for its work, the District Judges Association recognized the following:

All courts share the same core essential functions.

All courts share essentially the same community of justice partners (District Attorney, Sheriff, Clerk of Court, etc.).

Each court has its own employees and facilities to manage.

Urban and large parish courts will have different considerations than courts that serve multiple parishes.

Attempting a uniform plan would take far too long. Further, an effective plan must be specific to the needs of each individual court to allow for ease of implementation.

Thus, in order to capitalize on our commonality and leave room for our differences, the Committee sought to develop a model template that can be used by each individual district court to develop its own Continuity of Operations Plan. The model template should save each district court from having to spend countless hours and resources building that part of the plan that is common to all courts.

Communications is a key element of any disaster recovery plan. Thus, our committee worked closely with the LDJA's web site committee, chaired by The Honorable Charles Porter of the 16<sup>th</sup> Judicial District Court. These committees have worked together to develop a web site for use on all Association business and one which will be able to serve all courts in the event any court's operations are disrupted.

The Disaster Recovery Committee is pleased to report that the initial phase of our work is complete. As with all things, we would have preferred more time to develop some of the ideas contained in this document. However, with the 2006 hurricane season fast approaching, the Committee thought it best to disseminate this template so the district courts and their justice partners could begin the work of developing their individual Continuity of Operations Plans.

The Committee encourages each court to form its own Emergency Preparedness or Disaster Recovery Committee. This committee should meet weekly until your Plan is complete. Thereafter, the committee should meet on a regular basis to update and further refine your plan. As you begin your work, members of the District Judges Association Disaster Recovery Committee (judges, court administrators, clerks of court, sheriffs, facilities management, IT and Department of Corrections personnel) are available to you for any assistance you may need. Members e-mail addresses are included in this document.

Finally, while this effort began with the needs of district courts in mind, this template should be a useful guide to all courts throughout the State and region.

Wishing you well as we continue on our road to recovery, I am

Respectfully,

Madeleine M. Landrieu, Chair  
Louisiana District Judges' Association  
Disaster Recovery Committee

## ***ACKNOWLEDGMENTS***

In the aftermath of Hurricanes Katrina and Rita, the District Judges Association formed a working, collaborative committee to research, study, and understand the issues confronted by Courts before, during and after the storms - from preparedness, to evacuation to recovery. While we all understand that a judiciary is the hallmark of a democratic society, these storms taught us that the judiciary cannot, on its own, keep the doors of the courthouses open. Other local elected and non- elected office holders play a critical role in the ongoing operation of our courts. We have learned that advanced planning, preparation and ongoing communication within each district court, with our neighboring and Abuddy@ courts and with our Ajustice partners@ is critical to the orderly operation of our system of justice.

The Louisiana District Judges Association=s Disaster Recovery Committee is composed of district court judges from a cross section of the State and from all types of jurisdictions, an appellate court judge, court administrators, court IT personnel, sheriff=s, clerk=s, facilities management personnel, and representatives from the Department of Corrections.

Special thanks go to Judge Fredericka ARicky@ Wicker, former President of the District Judges Association for her wisdom in appointing this diverse and hard-working committee and for her tireless efforts to see the job through; to Justice Catherine AKitty@ Kimball of the Louisiana Supreme Court for her never-ending commitment to the district judges, the courts in which we preside and the public we serve; to the Executive Committee of the District Judges Association for its leadership in undertaking this important project; and to Judge Charles Porter, current President of the District Judges Association, for his continued support of the work of this committee.

We acknowledge the members of the committee who took time away from their families and their courts during these difficult times to see that this project became a reality. Special recognition is extended to Jo Bruce, Judicial Administrator of the 19<sup>th</sup> Judicial District Court, East Baton Rouge; Carla Smith, Judicial Administrator of the Orleans Parish Criminal District Court and Suzanne , Stinson, Judicial Administrator of the 26<sup>th</sup> Judicial District Court. Finally, we thank Charles C. Foti, Attorney General of the State of Louisiana and Richard Stalder, Secretary of Department of Corrections for lending their expertise, the resources of their offices, and members of their staffs to the work of this Committee.

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## FORMS

The following excel spreadsheets are attached to the hard copy of this template and can be downloaded from the LDJA website. They will be e-mailed as attachments to this document. To request the documents or to gain access to the LDJA website, please e-mail your request to [ldjarecoveryplan@yahoo.com](mailto:ldjarecoveryplan@yahoo.com).

- Computer Equipment Inventory
- Data Center Inventory
- Employee List
- Employee Relative List
- Key Personnel List
- Policy Inventory
- System Identification

## STATEMENTS FROM AFFECTED COURTS

Several courts have submitted statements outlining their experiences during Hurricanes Rita and Katrina and their efforts to recover. Over 25 courts were affected by these storms and their aftermath. Some of the statements are included here in the hope that the experiences of these courts will aid other courts in the development of their disaster recovery plans. These statements will be posted on the Louisiana District Judges website. As additional impact statements received by the Committee will be posted there as well. To submit your courts impact statement, please e-mail it to [ldjarecoveryplan@yahoo.com](mailto:ldjarecoveryplan@yahoo.com).

## SECTION I – CONTINUITY OF OPERATIONS PLAN OVERVIEW

### 1. CONTINUITY OF OPERATIONS PLAN (COOP)

#### 1.1. Purpose

This Continuity of Operations Plan describes procedures to follow in the event the District Court is rendered partially or fully inoperable due to a disaster. This plan provides a functional set of procedures for the recovery of the District Courts' personnel, data, and overall functions. Experience has shown that a well-defined tested plan increases the chances of successfully surviving a major disaster. This is a living document and must be thoroughly reviewed and maintained on a regular basis. The Continuity of Operations Plan will be tested periodically to ensure the District Court's capability to restore operations in a timely fashion.

This plan outlines the course of action to be taken in the event of a disaster and the roles and responsibilities of each team to follow in the recovery to normal operations. It is intended to:

- Provide an orderly and efficient transition from normal to emergency conditions.
- Provide specific guidelines appropriate for unpredictable occurrences.
- Provide consistency in action.
- Establish a threshold at which an emergency response is triggered and indicates who in the various locations may authorize the response.

Since all disasters tend to be unique, this plan will not address any one type of disaster nor define a specific recovery strategy for all possibilities. It is the purpose of this document to plan for a disaster in which the normal operations of the Court are disrupted. The intended purpose of this plan is to minimize the impact of any unexpected occurrences causing a disruption of critical operations.

#### 1.2. Objectives

The primary objective of the Court's Continuity of Operations Plan is to restore mission-critical-systems within an acceptable period of time. Upon formal

declaration of a disaster, these mission critical systems should be restored promptly and in accordance with the guidelines set forth in this document. Remaining applications should be restored subsequent to the recovery of these defined mission-critical systems. Each District Court should restore core processing systems within three to seven (3-7) days and to restore enabling systems and ancillary-systems within ten to fourteen (10-14) days of a declared disaster. The time to restore ancillary systems is heavily dependent on a Court's ability and the work put into the planning process. So the actual time to complete this step may vary significantly from the stated targets.

NOTE: Each District Court must define the timeframe above in which their mission-critical-systems should be restored as well as supporting systems.

Other objectives may include:

- Establish periodic reviews of the plan and provide a standard for periodic testing of the plan to ensure the Court's preparedness.
- Minimize the risk of delay in setting up an alternate location.
- Train court personnel to implement and carryout the plan.
- Minimize the duration of a serious disruption to operations.
- Minimize immediate damage and loss.
- Provide effective coordination of recovery tasks and reduce complexity of recovery.
- Minimize the decision making process during a disaster.
- Manage successfully through a disaster.
- Effective communication to the public of the Court's recovery.

NOTE: The District Court should review the objectives above and add/edit/remove where appropriate for the District Court. For the most part, the objectives should be the same for all District Courts.

### 1.3. Recovery Strategy

An example of a recovery strategy for the District Court is to restore daily operations and computer systems in a timely manner. The District Court has a responsibility to the public and legal community to restore operations after a

disaster as quickly as possible. The recovery strategy for both is not dependent on each other. Depending on the severity of the disaster and the condition of the facilities and computer systems, it is feasible to have recovery of both areas in one location or in separate locations. They are not dependent on each other. Recovery for both can occur simultaneously at different locations.

Level I: Short-Term Outage (less than 48 hours) – Ride-it-Out

Level II: Mid-Term Outage (48 hours to 6 weeks) – Execute formal disaster recovery strategy which will include declaring a disaster and going to an alternate site.

Level III: Long-Term Outage (6 weeks or more) – Execute formal disaster recovery strategy (Level II), and it may involve permanently making a physical move of the District Court’s personnel, resources, and daily operations.

#### 1.4. Assumptions

In order to proceed with a plan, certain assumptions need to be made as we cannot account for everything. See APPENDIX 1.1 for basic assumptions which each District Court should modify to its particular needs.

#### 1.5. Team Approach

Continuity of Operations is of the utmost importance for any disaster plan. It states that if resources are damaged or systems are negatively impacted, some form of recovery will be necessary. To certain degrees, the limitation of physical and/or system resources will impact recovery efforts, and there should be consideration given to working alternatives. For example, manual processes may have to be invoked as an alternative to electronic processes, such as the allotment of cases as cases are filed during recovery.

In the event of a disaster, teamwork among District Court personnel will be vital to the success of the District Court’s recovery effort. To this extent, the District Court must remember to get input on the disaster recovery plan from each of the areas below to ensure the plan is complete and includes all areas of operation:

- Facilities Management
- Judicial Administrator
- Data Processing and Operations (including phone systems)
- Clerk of Court
- Judges
- Jury Pool
- Sheriff/Security
- Accounting
- Public Information Officer
- District Attorney
- Indigent Defenders

#### 1.6. District Court Organizational Chart

An organizational chart of the District Court or by each office within the District Court is important so that everyone knows the chain of command and who is in charge. For any disaster, having a leader is important. See APPENDIX 1.2.

#### 1.7. Key Personnel Listing

Each District Court should have a listing by office of the key personnel in the event of a disaster. A corresponding listing of all Court personnel should also be included or part of the plan. See APPENDIX 1.3.

## SECTION II – DISASTER PREPARATION OVERVIEW

### 2. DISASTER PREPARATION

Since it is impossible to determine the exact nature and impacts of a disaster, it is important for the District Court to plan and be prepared. The purpose of the Continuity of Operations Plan is to ensure the safety of all District Court personnel assets and to limit the amount of time the Court is “out of service” to the public.

Preventive measures can quickly reduce exposure to many risks; however, it is impossible to eliminate or prevent all risks. It is up to the District Court to determine how much risk they are willing to tolerate and at what point the District Court must respond quickly and effectively in response to a disaster. Since all disasters are unique, then one cannot define a strategy for all possibilities; thus, the District Court may plan for a worst-case scenario and therefore provide measures applicable to most situations.

The District Court should also make arrangements to share its disaster plan with another District Court and/or the Louisiana District Court Judges’ Association and/or Supreme Court.

#### 2.1. Define Reciprocating District Courts

Use this section to define the reciprocating District Courts which are available to assist your court should an emergency be declared. Make sure this information is kept up to date on a regular basis. This defines which Court or alternate site will be available to help the affected District Court during a disaster. Department of Corrections Facilities may also be suitable alternate sites for some courts. See Appendix 1.12 for Sample Agreement between courts and alternate facilities.

Cross-State District Court	Address/Location	Phone/Contact Info
District Court	444 Main St Anytown, LA 70000	999-888-7777 – Judicial Admin/Chief Judge



Neighboring District Court	Address/Location	Phone/Contact Info
District Court	111 East St Location, LA 71111	444-555-6666 – Judicial Admin/Chief Judge

## 2.2. Complete a Risk Assessment

No matter what the disaster, each District Court will probably have a different risk tolerance (what each District Court deems critical and non-critical and what each District Court is willing to risk losing as opposed to saving). Each District Court should go through a risk assessment to assess its tolerance.

This tolerance level must be documented so that the District Court is focused on recovery. For example, the District Court has to have a certain level of tolerance for the physical files that have not been imaged or scanned. These include case filings, deeds, successions, etc that are filed/stored and saved in a warehouse. How would the District Court recover these records if the warehouse caught fire? What is the risk tolerance and ramifications? If these are critical, then the District Court must prepare and begin protecting the assets of the Court. Use form in 1.10.

## 2.3. Command Center Arrangements

The District Court should designate a command center to serve as the primary headquarters in the event of a disaster and the District Court at its regular location is declared inoperable. Ideally, the command center will be part of the reciprocal agreement with another District Court in the State or a warehouse, office building, or hotel from which Parish recovery efforts are coordinated. This designation should be specific and defined in the planning stages so that all key personnel are aware of the command center. An alternate site should also be defined in case the primary site is also inoperable. Everyone should be made aware of these sites so that everyone knows where to report after a disaster is declared.

Primary Command Center	Address/Location	Phone/Contact Info
Primary	444 Main St Anytown, LA 70000	999-888-7777 – Contact

Alternate Command Center	Address/Location	Phone/Contact Info
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Alternate	111 East St Location, LA 71111	444-555-6666 – Contact
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#### 2.4. Establish Hotline

Having a Court hotline or employee hotline in which messages can be left for all Court employees to check is important. It's simple, cost-effective, and easy to implement. The number would be published for all employees. Complete hotline registration based on information in 1.4.

#### 2.5. Define/Review Internal and External Policies and Procedures

All District Court internal policies (closure, staffing, payroll, etc) should be reviewed regularly as well as any external policies/procedures that affect the District Court (local, state, federal policies). The District Court should make note of those that affect the District Court in the plan and make employees of the Court aware of it too.

#### 2.6. Meet with Local and State Agencies

The District Court should meet with local and state officials about their disaster plans, policies and procedures. Those notes should be recorded here or at the back of this document for reference in the event of a disaster so there is no confusion as to what is being done at all levels and so that appropriate modifications to this document can be made as needed.

Date	Court Personnel	Meeting/Conversation Held With	Result/Plan

#### 2.7. Define Mission-Critical-Systems

List mission-critical-systems that need to be restored first in the event of a disaster. These would include case management systems, email, web site, court reporter records, etc. Form in 1.10 can help list the systems.

## 2.8. Complete a Data Center Inventory

Use the form in 1.5 to have a listing of all data center computer equipment and supporting equipment.

## 2.9. Complete a Computer Inventory

Use the form in 1.6 to have a listing of all peripheral computer equipment that is not located in the data center – desktops, laptops, printers, etc.

## 2.10. Complete a Policy Information Inventory

Use the form in 1.7 to have a listing of all non-computer equipment – maintenance contracts, insurance policies, license keys, vendor agreements/contracts, etc.

## 2.11. Disaster Recovery Worksheet

In the event the District Court has a recovery plan with an “Availability Services” company, that company will provide some sort of a disaster recovery worksheet to be completed by the District Court. That worksheet will help assess the Court’s computer needs in recovery. If the Court does not have a contract with one of these “Availability Services” companies, then the forms above should suffice and define the computer needs in recovery at an alternate site. An example of a company that specializes in recovery is SunGard Availability Services ([www.sungard.com](http://www.sungard.com)).

Other companies which provide similar services are:

Data Protection Service, LLC <a href="http://www.dataprotection.com">www.dataprotection.com</a> 1-800-267-1664	West Managed Technology Services <a href="http://www.thompson.com">www.thompson.com</a> 1-651-687-1297
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The LDJA Disaster Recovery Committee is pursuing funding sources for the data recovery efforts of district courts. Such funding will not be available for the 2006 Hurricane Season. Should your court decide to contract with an availability services company, please advise the committee by e-mail

([ldjarecoveryplan@yahoo.com](mailto:ldjarecoveryplan@yahoo.com)) so we can continue to assess the district courts' ongoing data recovery needs for purposes of grant applications.

## SECTION III – DISTRICT COURT DISASTER DECLARATION OVERVIEW

### 3. DISTRICT COURT DISASTER DECLARATION

#### 3.1. Authorities Responsible for Declaring a Disaster

Define the authorities that are responsible for declaring a disaster and/or temporary Court closure. Whether these are individuals or a team, the District Court needs to identify those people that can formally declare a disaster and invoke the Continuity of Operations Plan.

Person	Title	Team(s)
John Smith	Judicial Administrator	JUD, LDR
Mary Jones	Judge Division 'A'	JUD

#### 3.2. Disaster Declaration

There are basically two scenarios in which the District Court will declare a disaster: 1) the District Court facilities are deemed inoperable which would probably also mean the computer systems are inoperable, or 2) the computer systems alone are deemed inoperable.

#### 3.3. Communication

In the event of a disaster, there are certain officials of the District Court who will be responsible for the actual declaration of disaster to the District Court personnel, public, and legal community. Only these people should communicate in a disaster so that all communications are coming from one voice and there is no confusion. This also includes how the District Court communicates to personnel, other District Courts, Supreme Court, etc. Some sort of an “intra-communication” plan should be developed.

All communication ideas should use a combination of websites, hotlines, phone forwarding. Pre-planning is very important. See 1.8 for recommended disaster declaration and communication procedures.

### 3.4. Guidelines

The District Court needs to establish guidelines under which to work in the event of a disaster. These guidelines need to be simple step-by-step procedures as to what has to be done in order to begin recovery. For example, damage assessment, estimate of damage and outage, mobilization of recovery teams, etc as well as who or what team is responsible for each step.

Some of these guidelines should include District Court closure procedures as well as reopening procedures, duty roster/schedule, which Judges will be doing what, etc.

These guidelines need to be set and put in the plan for all to know.

### 3.5. Escalation Process

Once a disaster is declared based on the initial levels of outage as defined previously, the District Court immediately goes to Level I outage. In this section, the District Court must define the levels of outage that are acceptable and at what time (length of outage) to escalate to the next level.

Escalation to Level II Outage will occur if:

- Define criteria and time outage to escalate to Level II – For instance, a hurricane hits and destroys the building. Building access is off-limits for 3 weeks. The Court needs to escalate to this level of outage with pre-defined steps to take. Operations must be moved to offsite/hot-site recovery. This needs to be defined here.

Escalation to Level III Outage will occur if:

- Define criteria and time outage to escalate to Level III – For instance, the building is deemed inoperable and employees are not allowed back into the building for over two months. This means the Court must execute the plan to begin move operations permanently. This needs to be defined here.

At any time after the disaster is escalated beyond Level I, the District Court needs to consider off-site recovery of daily operations.

### 3.6. Notification Procedures

Define the procedures the District Court will take to notify the recovery site(s) in the event of a disaster. Define the people of the District Court that will notify the recovery site(s).

AUTHORIZED PERSONNEL		
Person	Title	Team(s)
George Farmer	Clerk of Court	LDR, DIS
Tammy Smith	Judge Division 'C'	JUD

PRIMARY FACILITY RECOVERY LOCATION		
Site Name	Location	Contact
ALTERNATE FACILITY RECOVERY LOCATION		
Site Name	Location	Contact

PRIMARY HOT SITE RECOVERY LOCATION		
Site Name	Location	Contact
ALTERNATE HOT SITE RECOVERY LOCATION		
Site Name	Location	Contact

### 3.7. Recovery Preparation Task List

The District Court needs to define the appropriate tasks that need to happen to restore daily operations at the alternate facility site. Every task should be detailed below.

EXAMPLE:

- Notify recovery site(s).
- Locate and notify team(s) to begin restoring daily operations.
- Notify Judges and Clerk of Court of recovery site(s).
- Etc.

### 3.8. Checklists

The District Court should prepare a general checklist for organizing the alternate site recovery team. All travel considerations must be taken into account – air, hotel, ground, meals, families, etc.

EXAMPLE:

- Get cash – arrange per diems.
- Secure mode of transportation – air or ground.
- Secure lodging – take into account families that may be traveling with team member.
- Etc.

### 3.9. Re-Entry Plan

A plan to re-enter the District Court and restore normal operations should be defined. Guidelines, checklists, procedures, etc should be decided upon and listed.



## SECTION IV – DISTRICT COURT TEAM RESPONSIBILITIES

### 4. TEAM RESPONSIBILITIES

This section will refer to the team roles and responsibilities of each District Court in the event of a potential disaster. It should define pre-disaster, disaster, and post-disaster tasks. The teams will probably vary by District Court due to size or other circumstances. For instance, a court may chose to have a team focused on specific needs in a certain area of its jurisdiction, such as family court, juvenile court, drug court.... On the administrative end, an accounting team may be warranted. These are just an example of teams broken down by district court office and function.

#### 4.1. Clerk of Court and Sheriff’s Team

This team is responsible for leading recovery efforts with the Clerk of Court and the Sheriff. This team will work in conjunction with all other teams and will begin assessing what needs to be done in order for the District Court to open doors, and start accepting filings, and issuing service.

Team Leader	Title	Alternate Leader	Title
Team Members	Title	Department	

##### 4.1.1. Pre-Disaster Task List

- Review recovery plan on a regular basis.
- Perform tabletop type exercises to know the plan and practice the plan.
- Keep team personnel and teams updated to plan changes.
- Etc.

##### 4.1.2. Disaster Task List

- Ensure Clerk of Court personnel are safe.
- Assess damage to office.

- Mobilize team to begin recovery.
- Etc.

#### 4.1.3. Post-Disaster Task List

- Review disaster plan – what went right and what went wrong
- Make appropriate changes to plan.
- Etc

### 4.2. Communications Team

This team is responsible for communicating to the public, media, District Court personnel, and legal community. All communications pertaining to the recovery efforts of the District Court should be made through this team.

Team Leader	Title	Alternate Leader	Title
Team Members	Title	Department	

#### 4.2.1. Pre-Disaster Task

- Review recovery plan on a regular basis.
- Perform tabletop type exercises to know the plan and practice the plan.
- Keep team personnel and teams updated to plan changes.
- Etc.

#### 4.2.2. Disaster Task List

- Make contact with other teams.
- Prepare statement for public.
- Etc.

#### 4.2.3. Post-Disaster Task List

- Review disaster plan – what went right and what went wrong.
- Make appropriate changes to plan.
- Etc.

### 4.3. Disaster Assessment Team

This team is responsible for determining the actual extent of damage to facilities and technology departments and reporting back to the other teams. This team should be the first to arrive at the District Court along with the Facilities Team following a disaster to determine if the District Court is operable and to determine the extent of damage to computer systems.

Team Leader	Title	Alternate Leader	Title
Team Members	Title	Department	

#### 4.3.1. Pre-Disaster Task List

- Review recovery plan on a regular basis.
- Perform tabletop type exercises to know the plan and practice the plan.
- Keep team personnel and teams updated to plan changes.
- Etc.

#### 4.3.2. Disaster Task List

- Make contact with other teams and team members.
- Assess damage to District Court.
- Make recommendations to leaders as to how to proceed with recovery.
- Etc.

#### 4.3.3. Post-Disaster Task List

- Review disaster plan – what went right and what went wrong.
- Make appropriate changes to plan.
- Etc.

#### 4.4. Facilities Team

This team is responsible for setting up the alternate facility should the District Court have to restore daily operations elsewhere as well as the first team to arrive at the alternate site if necessary.

Team Leader	Title	Alternate Leader	Title
Team Members	Title	Department	

##### 4.4.1. Pre-Disaster Task List

- Review recovery plan on a regular basis.
- Perform tabletop type exercises to know the plan and practice the plan.
- Keep team personnel and teams updated to plan changes.
- Etc.

##### 4.4.2. Disaster Task List

- Make contact with other teams and team members.
- Assess damage to District Court.
- Make recommendations to leaders as to how to proceed with facility recovery.
- Etc

##### 4.4.3. Post-Disaster Task List

- Review disaster plan – what went right and what went wrong.
- Make appropriate changes to plan.
- Etc.

#### 4.5. Judicial Leadership Team

This team is responsible for the actual declaration of a disaster and for all disaster recovery coordination efforts. They will oversee all recovery efforts as defined in the Judicial Operations Continuity Plan to ensure a successful recovery effort. This team will function as the “lead team” and all final decisions about disaster recovery efforts will be made by this team. Any deviation or changes will have to be approved by this team.

Team Leader	Title	Alternate Leader	Title
Team Members	Title	Department	

##### 4.5.1. Pre-Disaster Task List

- Review recovery plan on a regular basis.
- Perform tabletop type exercises to know the plan and practice the plan.
- Keep team personnel and teams updated to plan changes.
- Etc.

##### 4.5.2. Disaster Task List

- Establish and setup command center.
- Contact other teams and team members.
- Lead teams through recovery holding daily meetings.
- Etc.

##### 4.5.3. Post-Disaster Task List

- Review disaster plan – what went right and what went wrong.
- Make appropriate changes to plan.
- Etc.

#### 4.6. Judicial Administrative Team

This team is responsible for leading recovery efforts for the Judicial Administrator’s Office. This team will work in conjunction with all other teams and will begin assessing what needs to be done in order for the Administration office of the District Court to start functioning again (HR, Accounting, Custodial, etc).

Team Leader	Title	Alternate Leader	Title
Team Members	Title	Department	

##### 4.6.1. Pre-Disaster Task List

- Review recovery plan on a regular basis.
- Perform tabletop type exercises to know the plan and practice the plan.
- Keep team personnel and teams updated to plan changes.
- Etc.

##### 4.6.2. Disaster Task List

- Setup operations at command center.
- Work with IT recovery to recovery systems needed for operations.
- Make contact with all employees.
- Etc.

##### 4.6.3. Post-Disaster Task List

- Review disaster plan – what went right and what went wrong.
- Make appropriate changes to plan.
- Etc.

#### 4.7. Technology Offsite Recovery Team

This team is responsible for the actual recovery efforts at the District Court hot site after a disaster. This team will restore computer systems at the hot site and start all computer operations in the event of a disaster. This team will work with the Technology Onsite Recovery Team to ensure all computer operations are restored.

Team Leader	Title	Alternate Leader	Title
Team Members	Title	Department	

##### 4.7.1. Pre-Disaster Task List

- Review recovery plan on a regular basis.
- Perform tabletop type exercises to know the plan and practice the plan.
- Keep team personnel and teams updated to plan changes.
- Etc.

##### 4.7.2. Disaster Task List

- Make contact with team members.
- Get backup tapes.
- Travel to offsite recovery site.
- Begin IT recovery and communicate with leaders.
- Etc.

##### 4.7.3. Post-Disaster Task List

- Review disaster plan – what went right and what went wrong.
- Make appropriate changes to plan.
- Etc.

#### 4.8. Technology Onsite Recovery Team

This team is responsible for the actual recovery efforts at the District Court after a disaster. This team will restore computer systems and operations at the District Court in the event of a disaster. This team will work with the Technology Offsite Recovery Team to ensure all computer operations are restored. This team will also coordinate the technology rollback recovery efforts once the onsite data center is operational.

Team Leader	Title	Alternate Leader	Title
Team Members	Title	Department	

##### 4.8.1. Pre-Disaster Task List

- Review recovery plan on a regular basis.
- Perform tabletop type exercises to know the plan and practice the plan.
- Keep team personnel and teams updated to plan changes.
- Etc

##### 4.8.2. Disaster Task List

- Make contact with team members.
- Begin assessing damage to data center.
- Etc

##### 4.8.3. Post-Disaster Task List

- Review disaster plan – what went right and what went wrong.
- Make appropriate changes to plan.
- Etc.

## 5. TECHNOLOGY OVERVIEW



## 5.1. IT Organizational Chart

Define IT personnel and their primary roles and responsibilities. This ensures that all IT personnel are accounted for.

## 5.2. Backup Procedures

Disaster recovery plans require the protection of all applications and database files. Without a good backup of these items, the recovery will not be successful. This section should define the backup strategy for each system on each platform as well as how the backup media is saved and stored. Each District Court will be different. As long as we can identify all of these systems, we can build a proper backup strategy to ensure data protection and integrity.

### 5.2.1. Objective

Define the objective of the backup strategy for the District Court. Each District Court's objective should be similar – protect systems, applications, and database files. This will help ensure a successful recovery in the event of a disaster. The objective should also state how the District Court handles and stores the backup media and what the accepted recovery time should be when restoring systems. The District Court should set acceptable timelines for recovery of mission critical systems.

### 5.2.2. Strategy

The District Court needs to define the backup strategy implored at the District Court. Ideally, the District Court should be performing backups on a daily, weekly, monthly, and annual basis. Also, the backup media should be stored in a safe location offsite and depending on the platform and system the District Court may consider making two backups daily and saving one onsite. The backup strategy should be reviewed on a regular basis (at least annually) to ensure that all applications and database files are being backed up routinely and nothing is being omitted.

PLATFORM 'A'		
Applications	Database Files	Other
Application Name/location	Database File name/location	Other name/location

PLATFORM 'A'	
Frequency	Backup Process
Daily	Define daily backup process (what) and how data is saved (where)
Weekly	Define weekly backup process (what) and how data is saved (where)
Monthly	Define monthly backup process (what) and how data is saved (where)
Annually	Define annual backup process (what) and how data is saved (where)

### 5.2.3. Checklist

Define how the backups are being checked for completion and that the data was successfully copied to tape without errors. Summarize the current process that is performed to ensure integrity with backups.

### 5.2.4. Personal Computers

Define the District Court policy/strategy on backing up PC's (local hard drive 'C'). Policy should state that all business data, documents, spreadsheets, etc should be saved on network servers. It should be the responsibility of the user to backup local drive.

### 5.2.5. Recovery Time Objective

The District Court should define mission critical systems, expected recovery time, and where the system should be recovered – onsite vs. offsite. This will help the District Court in recovery efforts should a disaster occur in that everyone will know what systems exist on what platform and where the system should be recovered.

PLATFORM 'A'		
System/Database Name	Recovery Time	Recovery Site
System Name	24 hours	Sungard
Database Name	10 days	Sungard
Database Name	10 days	Sungard
System Name	3 days	Sungard

### 5.2.6. Backup Media

The District Court needs to define backup media used for all backups. In most instances, the backup will be some form of tape. All of this needs to be accounted for so that in the event of a disaster, the appropriate equipment will be supplied as well as knowing what types of backup media to purchase to backup recovery site.

- Media Creation
- Media Rotation
- Media Storage

### 5.2.7. Offsite Storage Facility

Define the offsite storage facility the District Court uses. Location, directions, alternate locations, address, phone numbers, courier service, contact info should all be accounted for in this document. If there is no offsite storage facility, the District Court should seriously consider one. It is vital for a successful recovery if a disaster occurs.

OFFSITE STORAGE FACILITY CONTACT INFO			
Address:			
Contact	Office	Cell	Other
Contact Name	111-222-3333	222-333-4444	333-444-5555
Contact Name	222-333-1111	333-444-2222	444-555-3333

#### 5.2.8. Offsite Storage Facility Retrieval Processes

Define how the District Court can retrieve their data from the offsite storage facility. Who can retrieve, when, how, etc? Where will backup media be shipped in the event the offsite storage facility is hit by a disaster? How will the District Court's backup media be moved and relocated and where?

#### 5.3. Telecommunications

Define contact information for phone systems, provider, account numbers, etc. Also have a plan for a hotline as well as how to transfer phones to an alternate number.

#### 5.4. Computer Equipment Inventory and Configurations

Reference 1.5 and 1.6 for list of all computer equipment and configurations.

#### 5.5. Software Inventory

Reference 1.7 for list of all software (in-house as well as third party). This also should include all contracts, policies, agreements, license keys, etc.

#### 5.6. Relocation

Review recovery to an alternate site plan – responsibilities, checklists, travel arrangements, who, offsite vs. onsite, etc.

## GLOSSARY

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Alternate Location is defined as a location in which you can move operations in the event a disaster strikes and you don't have access to your facility, or if your facility is totally destroyed.

Business Continuity Plan (BCP) is a plan which focuses on sustaining an organization's business functions during and after a disaster.

Catastrophic Disaster is defined as an event that results in extensive damage or destruction of facilities that provide and sustain the operations of normal business functions. Such a disaster would have a severe long-term effect on the ability of the organization to perform day-to-day business operations.

Cold Site is a facility that consists of basic space and infrastructure that can support the District Court computer systems. The facility normally won't contain computer equipment.

Command Center serves as the primary headquarters in the event of a disaster and the District Court at its regular location is declared inoperable. It is the center of recovery efforts.

Continuity of Operations Plan (COOP) is a plan which focuses on restoring an organization's essential functions at an alternate site and performing those functions at the alternate site. Because Continuity of Operations Plan emphasizes the recovery of a government agency operational capability at an alternate site, the plan does not necessarily include IT operations.

Disaster is a sudden calamitous event bringing great damage, loss, or destruction; broadly: a sudden or great misfortune or failure.

Hotline in reference to this document is a phone number that District Court personnel can call to get updates/status on District Court in the event of a disaster. This is basically a voicemail number which gives direction, instruction, messages to anyone that calls.

Hot Site is a site which provides both office and computer spaces sized to support the District Court system requirements and configured with the necessary hardware and supporting infrastructure and support personnel.

Impending Disaster is a disaster that can be forecasted in advance and for which preparations can be made prior to the actual occurrence. A very good example of an impending disaster is a hurricane.

Key Personnel is defined as those people in the District Court that will play a vital role in all recovery efforts in the event of a disaster. These are the people the District Court cannot afford to lose in a recovery effort.

Mobile Site is a self-contained, transportable shell that is customized with specific computer systems and telecommunications to suit the District Court's needs.

Recovery Strategy is defined as a plan for recovery efforts in the event of a disaster. This strategy will define what steps need to be taken to recover.

Reciprocating Alternate Site is defined in the context of this document as another District Court. The other District Court should be a neighboring District Court and a District Court located in another part of the State.

Significant Disaster is a disaster that is expected to have limited impact on normal business operations and with which there is a high degree of confidence in quick recovery. An example of a significant disaster would be a power outage to the data center.

Uninterruptible Power Supply is a device that sits between a power supply (e.g. a wall outlet) and a device (e.g. a computer) to prevent undesired features of the power source (outages, sags, surges, bad harmonics, etc.) from the supply from adversely affecting the performance of the device.

Warm Site is a facility that contains partially equipped offices/space and some or all computer system hardware, software, and telecommunication connections.

## APPENDIX

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### 1.1 Basic District Court Assumptions

Assumption	Description
Alternate Site Agreement	The District Court should setup an alternate site in the event of a disaster to recover systems. This alternate site should be either an agreement with a service like Sungard Availability Services (“hot site”) and/or a reciprocal agreement with another District Court in the State. Computer systems and supporting systems are available and contracted for at the alternate “hot site.” Information on SunGard Availability Services is available at <a href="http://www.sugard.com">www.sugard.com</a>
Alternate Site Utilization	Depending on the severity of the disaster and the District Court’s alternate site agreement, the District Court affected by the disaster will utilize the alternate site (“hot site” or reciprocating Court site) to recover mission critical systems. The reciprocating District Court site would be used to recover and handle daily Court operations of the affected District Court.
Backup Policy	Backups of all applications and databases (both mission critical and non-mission critical) should occur on a regular nightly basis. Full system backups should occur on a weekly basis. Media should be rotated to an offsite storage facility on a daily and weekly basis to coincide with daily and weekly backups. Backup media should be purchased and rotated into the backup rotation on a yearly basis.
Backup Rotation of Media	Daily backups should be rotated offsite. Weekly full system backups should be rotated offsite also. There should be at least two full sets of media for rotation to account for the media rotation. Best

	case scenario is to have three sets of backup media and rotate according to “Grandfather/Father/Son” rotation.
Backup – Applications	Daily backups should include all application source code and object code where applicable so that the latest source and object are available and secure daily.
Backup – Databases	Daily backups should include all databases in the District Court whether they are deemed critical or not. This will ensure that the actual data for all systems is accounted for and secure on a daily basis. Worse case scenario would be data lost for the day after the last backup.
Backup – System	Weekly full system backups should be in place which will in turn backup all operating system software on local servers, application tools to service applications and databases, and all licenses and license keys.
Backup – Testing	All backup processes should be documented to ensure the backups completed successfully. In the event of a problem with backup, someone should review problem and make sure problem is fixed prior to next backups. Without backups, the plan is useless. The backups should also be tested on a regular basis within the District Court to ensure the District Court can restore the data and applications.
Command Center	A pre-determined Command Center needs to be identified in the event of a disaster so that all key personnel and leaders of the affected Court know where to report after the disaster. This needs to be defined separately for each District Court. It can also be the reciprocating Court as defined in the alternate site above.
Critical Applications and Databases	All applications and databases that directly affect the day-to-day operations of the District Court are considered mission critical.
Data Center	Data Center equipment and all supporting systems



	should be connected to an Uninterrupted Power Supply (UPS) that provides at least 45 minutes to 1 hour of electricity in the event of a power failure.
Data Center Recovery	The recovery plan will address all network services and application servers, all directly attached peripherals, and all telecommunication devices located in the current Data Center and District Court.
Disaster Recovery	The level of the disaster and the degree of damage will determine requirements of the recovery strategy. Whether the recovery is at the alternate “hot site” or at the alternate reciprocating District Court will be determined by the actual type of disaster.
Insurance	The District Court’s insurance is reviewed on a regular basis and the insurance is paid. Review insurance plan each year.
Inventory	The District Court conducts a regular inventory of all computer equipment and assets. The inventory is updated regularly and saved in a safe place as well as saved at the offsite storage facility along with the backup media.
Key Personnel	Key personnel are identified by each District Court by office and role within the office. Key personnel will come from all areas of the District Court. All key personnel will be required to know the disaster plan and be able to help carry it out.
Offsite Storage Facility	The District Court needs to contract with an offsite storage facility for storage of backup media. Each District Court will contract separately from the others. The offsite storage facility information will be entered and save in this plan.
Offsite Operations	Each District Court should have an alternate site with a reciprocating District Court in the state of Louisiana and/or with a Department of Corrections facility. This reciprocating facility will allow the District Court affected by the disaster to setup a mini command center (to some degree) to allow the basic functions of the District Court affected by the

	disaster to function properly until the affected District Court is operable again or a new permanent site is located.
Personnel Safety	In all instances, the safety of the District Court personnel is first and foremost.
Plan	The Court's plan must be stored in a safe location and kept up-to-date. It should be on paper and stored digitally. Leaders of the District Court will have access to the latest version of the plan, and only a few key people should be allowed to make changes to the plan. When the plan is changed, all personnel should be aware and have access to the plan.
Reciprocal Agreements	Reciprocal agreements should be made with each District Court in the state of Louisiana. Each District Court should have reciprocal agreements with a neighboring District Court (in the event of a lesser disaster – fire, power outage, etc) and a reciprocal agreement with another District Court located on the other side of the state (in the event of a larger disaster – hurricane, flood, etc). A court may also make an agreement with Department of Corrections to utilize the facilities.
Service Agreements	All service/maintenance agreements for hardware, software, and communications that support the recovery are maintained and paid for.
Telecommunications	Telecommunications needs and alternatives have already been established and contracted for in advance of a disaster.
Testing	The plan should be tested at least once a year and preferably prior to hurricane season since hurricanes are the most likely disaster that will cause a break in operations. The test should include to the alternate “hot site” to ensure that the backup media can be restored and accessed at the alternate “hot site”. There should also be regular “table-top exercises” at each District Court where the plan is reviewed with the leaders of the District

	Court so that everyone can review what is expected of them.
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***APPENDIX 1.2 District Court Organization Chart***

Place District Court Organizational Chart here for reference.

**APPENDIX 1.3 District Court Key Personnel Listing and Phone Numbers**

Identify each area of the District Court and list all key personnel with their respective contact information.

<b>CLERK OF COURT</b>					
<b>Name</b>	<b>Office Phone</b>	<b>Home Phone</b>	<b>Cell Phone</b>	<b>Email</b>	<b>*Other Phone</b>
Mary Jones	504-111-2211	504-111-2222	504-222-3333		504-444-5555
John Smith	504-222-1122	504-123-4567	504-234-5678	504-345-6789	504-456-7890
<b>JUDICIAL ADMINISTRATOR</b>					
<b>Name</b>	<b>Office Phone</b>	<b>Home Phone</b>	<b>Cell Phone</b>	<b>Email</b>	<b>Other Phone</b>
Steve Johnson	504-222-3333	504-333-2222	504-444-5555		

\* Other phone should be a telephone number to a nearest relative/friend living outside the area.

#### ***APPENDIX 1.4 Hotline Information***

There are companies that will give the District Court a phone number and access to record messages for employees. One such company is Protocol, formerly Anserphone (985-867-1500). They can provide a local number for the District Court to record any type of message for the employees. It can become the everyday employee hotline providing information for employees. When a storm is approaching, the hotline message can be changed. However, if there is a power outage and service is down for Protocol, this number will also be down. (Hurricane Katrina is the first hurricane which caused this company to go down. They were down for one week.)

A recommendation would be to have an “alternate” hotline based in another state. Protocol has referred the Committee to a company in New Jersey called Anserve (973-283-3113). The only time this line would be active would be for approaching storms. The employees of the District Court would use both phone lines to receive direction and instruction in the event of a disaster. The person in charge of the messages would leave messages on both lines, and instruct employees prior to the storm to call the numbers for updates. More than likely, this person or team would be from the Judicial Administrative area or the Judicial Administrative Team.

Cost is a one-time setup fee of \$10, plus \$15 per month for the service of Protocol. This includes a local number and a 1-800 number – voice mail only. Anserve should basically have the same rates.

There are other companies that will provide such services located both in Louisiana and other states. Each District Court will probably have a variation of numbers – local and/or out of state.

***APPENDIX 1.5 Data Computer Systems and Supporting Equipment Inventory Worksheet***

<b>Description</b>	<b>Serial Number</b>	<b>Model Number</b>	<b>Maintenance Contract</b>	<b>Location</b>
Dell Server	SN12345	MN5678AB	Yes-Dell	Data Center
Tape Drive	SNAB39jR9kl	MN640ab	Yes-Dell	Data Center
IBM iSeries	SN112233	P349019	Yes-IBM	Data Center

***APPENDIX 1.6 Computer Equipment Peripheral Inventory Worksheet***

<b>Description</b>	<b>Serial Number</b>	<b>Model Number</b>	<b>O/S</b>	<b>Disk</b>	<b>Memory</b>	<b>Maintenance Contract</b>
Dell Desktop	SN-Kdapmd93	Model1	XP	60Gb	512	Yes-Dell
Dell Laptop	SN-Jklsjmjdd29	Model2	Win2000	120Gb	1024	Yes-Dell
HP5si Printer	SN-PRT1	P349019				Yes-HP



***APPENDIX 1.7 Policy Information Inventory Worksheet (contracts, policies, etc)***

<b>Contract Type</b>	<b>Policy/Contract</b>	<b>With</b>	<b>Contact Info</b>	<b>Covers</b>
Maintenance	CNT123	XYZ Company	800-123-4567	Desktop PC's
Maintenance	CNT99999	ABC Corp	985-678-1234	UPS
Insurance	POL123A	AAA Insurance	555-666-7777	Flood

## ***APPENDIX 1.8 Disaster Declaration and Communication Procedures***

A notification procedure should be created for disasters. Some form of a formal notification process should be adhered to so that the recovery site(s) can be alerted to what is happening and plan accordingly. Additionally, each court should have a set of procedures for declaring a disaster and communicating that to the public, personnel, and other state/local agencies.

For instance: Immediately upon the declaration of a disaster or temporary closure, the court should:

1. Issue an Order declaring a State of Emergency and the temporary closure of the Court. See Appendix 1.11 for sample closure order.
2. That order should be sent by mail and email to:
  1. Chief Justice Pascal F. Calogero, Jr.  
400 Royal Street  
New Orleans, LA 70130  
504-310-2330 tel.  
504-310-2339 fax  
Email [icalogero@lasc.org](mailto:icalogero@lasc.org)
  2. Dr. Hugh Collins  
400 Royal Street  
New Orleans, LA 70130  
504-310-2550 tel.  
504-310-2606 fax  
Email [hmc@lajao.org](mailto:hmc@lajao.org)
  3. Your appellate court
  4. Louisiana District Judges Association  
President Charles L. Porter  
16<sup>th</sup> Judicial District Court

300 Iberia Street, Ste. 210  
New Iberia, LA 70560  
337-369-4410 tel.  
337-369-4456 fax  
[cporter@16jdc.org](mailto:cporter@16jdc.org)

5. Louisiana State Bar Association  
601 St. Charles Avenue  
New Orleans, LA 70130-3404  
(800) 421-LSBA (5722) • (504) 566-1600  
Loretta Larsen, Executive Director  
[loretta@lsba.org](mailto:loretta@lsba.org)  
Darren Trittel, Web Master  
[dtrittel@lsba.org](mailto:dtrittel@lsba.org)
6. Your Local Bar Association
7. Your local media

***Information regarding the Court's  
ongoing recovery and status should  
be reported to these contacts on a regular basis***

## ***1.9 Risk Assessment***

**1.10 Mission Critical Systems**

List here those systems/procedures which are critical to the court's immediate recovery.

For instance

System/Records	Location	Access

*1.11 Sample Court Closure Order*

**ORDER**

Acting in accordance with La. Const. Art. V, Sec. 1 and the inherent power of this Court and considering the emergency created by \_\_\_\_\_,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED

THAT:

The \_\_\_\_\_ Court for the Parish of \_\_\_\_\_ shall be closed beginning \_\_\_\_\_, through \_\_\_\_\_, unless further extended by Order of this Court.

Signed at \_\_\_\_\_, Louisiana this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_.

\_\_\_\_\_  
J U D G E

## **1.12 Sample Cooperative Agreement with Alternate Sites**

### **COOPERATIVE ENDEAVOR AGREEMENT BETWEEN THE PARISH OF ST. TAMMANY AND THE JUDGES OF THE CIVIL DISTRICT COURT FOR THE PARISH OF ORLEANS**

THIS COOPERATIVE ENDEAVOR AGREEMENT, made and entered into this \_\_\_\_\_ day of October, 2005 by and between the Civil District Court for the Parish of Orleans, through its authorized agent, The Honorable Ethel Sims Julien, Chief Judge, 421 Loyola Avenue, New Orleans, Louisiana 70112, hereinafter referred to as “Civil District Court”, and the Parish of St. Tammany, through the Office of the Parish President of St. Tammany Parish, hereinafter “Parish”, located at 21490 Koop Drive, Mandeville, Louisiana.

WITNESSETH:

WHEREAS, Article VII, Section 14(c) of the Constitution of the State of Louisiana provides that “for a public purpose, the state and its political subdivisions....may engage in cooperative endeavors with other.....,” and

WHEREAS, the public purpose is described as: to protect the public health, safety, and welfare to the citizens of Orleans and St. Tammany Parishes, all as per law, and to afford judicial efficiency, and access to justice for the citizens of Orleans and St. Tammany Parishes in this time of need as a result of the impact caused by Hurricanes Katrina and Rita, and

WHEREAS, the Parish President appears herein with the additional authority of the St. Tammany Parish Council.

NOW THEREFORE, in consideration of the mutual covenants herein contained, the parties hereto agree as follows:

#### **SCOPE**

(1) The Parish, through the office of the Parish President, and as per Parish Charter, hereby recognizes the need for the preservation of access to justice for all citizens, judicial efficiency and judicial responsiveness, public health, safety and welfare afforded the citizens of this State, Parish of Orleans and this Parish as is necessary to respond to the needs of the public in the aftermath of Hurricanes Katrina and Rita, as per law.

(2) Certain space and equipment within the Parish judicial complex (commonly known as the “Justice Center”) in the City of Covington, 701 N. Columbia Street, is temporarily available for use by the Civil District Court as the City of New Orleans and Orleans Parish rebuilds its

community and judicial services. Accordingly, the Civil District Court and the Parish agree as follows:

(3) The Civil District Court shall have the use of the following areas within the Parish Justice Center:

(A) Judge William Burris's Courtroom and Chamber area;

(B) The Juvenile Courtroom and its waiting area; and

(C) The unfinished, shelled space.

The Courtroom, offices and chambers of Judge Burris and the Juvenile Courtroom and one office adjacent to it are available to be used exclusively by the Judges and judicial staff of the Civil District Court, rent free, as long as Judge Burris and the 22<sup>nd</sup> JDC *en banc* are willing to lend this space pursuant to the terms of this agreement, such space being available at no extra cost to the Parish of St. Tammany and not in any way interfering with the ability of the 22<sup>nd</sup> JDC to efficiently conduct its business. At this time of emergency, the Judges of the 22<sup>nd</sup> JDC have agreed to temporarily share other Justice Center Space with each other in an effort to accommodate the emergency judicial needs of the people of the Parish of Orleans and the Judges of the Civil District Court.

The Juvenile Court space is scheduled for use by the judges of the 22<sup>nd</sup> JDC on certain specific, previously scheduled days. The Civil District Court will not have use of that space for those days.

The shelled area, totaling 7,000 square feet is available to be leased by the Civil District Court, the Orleans Parish Clerk of Court and/ or the Orleans Parish Sheriff's office at a cost of \$12 per square foot.

- (4) Any equipment owned by the Parish and or the 22<sup>nd</sup> Judicial District Court may be used by the Civil District Court and its employees with the approval of the Judicial Administrator of the 22<sup>nd</sup> Judicial District Court and subject to the security and operating rules & regulations of the Parish, 22<sup>nd</sup> Judicial District Court and Sheriff of St. Tammany.
- (5) All employees working for or with the judges of the Civil District Court shall not be considered to be, for any purpose, employees of the Parish of St. Tammany.
- (6) Civil District Court will have less than 20 employees using the above described space unless otherwise agreed to by the Parish, in advance.
- (7) Civil District Court agrees to tender any and all payments pursuant to this agreement within 30 days of receipt of any invoice.



- (8) The day to day Civil District Court management activities shall be under the direction and control of one Civil District Court employee or judge designated by Civil District Court to serve as its "Judicial Administrator". This person shall be responsible for the day to day administrative oversight, control, and guidance of all aspects of the use of the Parish property and equipment under this Agreement.
- (9) The Civil District Court is permitted to deliver for its own exclusive use such chairs, desks and computer equipment as is necessary to properly function.
- (10) The Civil District Court shall be responsible for all maintenance, upkeep, repairs and technical and engineering assistance on all its own equipment during the term of this Agreement.
- (11) The Civil District Court is entitled to remove and shall remove all of its movable equipment from the building at the termination of this agreement. The Parish shall have no claim or interest in any movable that is owned by the Civil District Court.
- (12) The Civil District Court's movables shall be insured at its own expense.
- (13) The St. Tammany Parish (STP) Sheriff's Office will provide building security. The Orleans Parish Civil District Court will be responsible to arrange for all necessary security for its court operations with the Orleans Parish Sheriff's office as determined by the STP Sheriff for courtrooms/holding cells/prisoners and the customary day-to-day operation of the Courthouse.

- (14) The Civil District Court and the and Civil Sheriff of Orleans Parish agree to be subject to and under the direction of STP Sheriff regarding security issues and there must be strict compliance with all STP Sheriff security requirements.
- (15) The Orleans Parish Civil Sheriff will maintain a minimum of two (2) deputies at the building at all times during regular work hours regardless if CDC Courts are in or out of session, unless otherwise agreed to by the STP Sheriff's office.
- (16) Civil District Court agrees to pay all rents due pursuant to this agreement by the \_\_\_\_ by the \_\_\_ day of each month, in advance, beginning October 17, 2005.
- (17) With respect to unfinished, shelled areas, the Civil District Court is solely responsible to furnish its own, desks, equipment, cubicles, and other movables essential to its operations.
- (18) With respect to these shelled areas, the Civil District Court agrees not to construct or erect any permanent walls.
- (19) The Civil District Court will be responsible for any additional costs incurred for initial and on-going expenses, exclusive of rent, water, sewer gas and electricity, all of which includes but is not limited to: access cards, tie-in to existing phone system, long distance/toll charges, additional security for after hours courtroom activity.
- (20) The Civil District Court will be responsible for any damages of any nature deemed as more than normal wear and tear.

#### TERMS OF CONSIDERATION

Where there exists a declaration of emergency executed by the St. Tammany Parish President as per law, the St. Tammany Parish President assumes and manifests the total direction and control of the Court's movable property.

#### TERMINATION

This agreement may be terminated by either party at any time with thirty (30) days written notice or as otherwise stated herein. All notices shall be sent to the undersigned parties by certified mail, return receipt requested.

#### REMEDIES FOR DEFAULT

Any claim or controversy arising out of this agreement shall be resolved as per law. Venue and jurisdiction shall be the 22<sup>nd</sup> Judicial District Court for the Parish of St. Tammany.

## OWNERSHIP

All records, reports, documents and other material delivered or transmitted to the Parish by the Court shall remain the property of the Parish.

## ASSIGNMENT

No party herein shall assign any interest in the same (whether by assignment or novation).

## TERM OF AGREEMENT

Occupancy shall commence on October \_\_\_\_, 2005 wherein the Court shall begin use of all equipment and the facility; it shall terminate after six months or on April \_\_\_\_, 2006, subject to any extensions mutually agreed upon and subject to all other terms of this agreement.

## DISCRIMINATION CLAUSE

The Parish and Court agree to abide by the requirements of the following as applicable: Title VI and VII of Civil Rights Act 1964, as amended by the Equal Opportunity Act 1972, Federal Executive Order 11246, the Federal Rehabilitation Act of 1972, as amended, the Vietnam Era Veteran's Readjustment Assistance Act of 1974, Title IX of the Education Amendments of 1972, the Age Act of 1975, and contractor agrees to abide by the requirements of the Americans with Disabilities Act of 1990.

The Parish and Civil District Court agree not to discriminate in their respective employment practices, and will render services under this agreement without regard to race, color, religion, sex, national origin, veteran status, political affiliation, disabilities.

## INDEMNIFICATION:

The Civil District Court and Parish both agree to indemnify, hold harmless and defend each other, and their respective officers, agents, servants, attorneys and employees from and against any and all claims, demands, losses, suits, damages, judgements, costs and expenses whether, indirect or consequential and including but not limited to all fees, expenses and charges of attorneys and other professionals, as well as court costs and expenses, for actions or inactions arising out of, in connection with or resulting from the use of the Courthouse hereinafter arising from claims or violations resulting from such usage in the course and scope this agreement for any employee and/or loaned employee that may be due to and caused in whole or in part by any act, error, or commission or omission of any act by negligence or otherwise while performing services.

SEVERABILITY

If any term or clause herein is deemed unenforceable or invalid for any reason whatsoever, then that portion shall be severable and the remainder shall remain in full force and effect.

The Parish appears herein as per law.

IN WITNESS WHEREOF, the parties have executed this Agreement as of this \_\_\_\_ day of October \_\_\_\_, 2005.

Kevin C. Davis, Parish President

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Honorable Ethel Sims Julien  
Chief Judge

AGREEMENT BETWEEN

CALCASIEU PARISH POLICE JURY  
OFFICE OF JUVENILE JUSTICE SERVICES

AND

CADDO PARISH JUVENILE DETENTION CENTER

WHEREAS, there may be a need for the housing of juveniles in emergency situations at the CALCASIEU PARISH POLICE JURY, OFFICE OF JUVENILE JUSTICE SERVICES, CALCASIEU PARISH JUVENILE DETENTION CENTER, P. O. Box 2073, Lake Charles, LA 70602, Tel. (337) 721-3900, hereinafter referred to as "CALCASIEU PARISH POLICE JURY, OFFICE OF JUVENILE JUSTICE SERVICES", represented by Brent Clement, President,

and

CADDO PARISH JUVENILE DETENTION CENTER, 1835 Spring Street, Shreveport, Louisiana, 71101, Tel. (318) 226-6770, hereinafter referred to as "CADDO PARISH JUVENILE DETENTION CENTER", represented by Muriel Burns, Director of Detention,

and

WHEREAS, there may be a need for the temporary housing of juveniles who must be evacuated from the CALCASIEU PARISH POLICE JURY, OFFICE OF JUVENILE JUSTICE SERVICES and the CADDO PARISH JUVENILE DETENTION CENTER in case of a natural or man-made disaster, and

WHEREAS, both parties desire to have an established plan to assure safety and security of juveniles in all situations,

NOW, THEREFORE, in consideration of the potential advantages accruing to the parties hereto, the CALCASIEU PARISH POLICE JURY, OFFICE OF JUVENILE JUSTICE SERVICES and the CADDO PARISH JUVENILE DETENTION CENTER agree as follows:

1. The centers shall enter into a reciprocal agreement for the temporary housing of juveniles in case of a natural or man-made disaster or other emergency situation which would require evacuation.

2. The center designated as the evacuation site shall be responsible for duties as follows:
  - a.) Shall supply all personal/hygiene needs to the juveniles
  - b.) Shall supply all clothing and linen needs to the juveniles
  - c.) Shall provide medical/dental treatment to the juveniles who are being housed, to include emergency medical/dental care necessary
3. The center being evacuated shall be responsible for duties as follows:
  - a.) Shall provide transport of the juveniles from center to evacuation site
  - b.) Shall provide sufficient number of staff to evacuation site for direct supervision of juveniles. The ratio of one staff member per eight juveniles shall be utilized. One male staff member must be assigned supervision duties when male juvenile is being housed at the evacuation site. One female staff member must be assigned supervision duties when female juvenile is being housed at the evacuation site.
4. All policies and procedures outlined in the evacuating center's manual shall be adhered to except when procedures affect the safety and security of the evacuation center.
5. The center receiving the juveniles has the right to limit the number of juveniles approved for emergency housing to a number not to exceed their approved capacity.
6. After fourteen days, the parties shall confer to determine if both parties agree to extend housing for an additional fourteen days, under the same terms and conditions.

## **2. DURATION OF AGREEMENT**

This Agreement shall become effective on April 1, 2004 and shall terminate on December 31, 2005. This Agreement may be terminated earlier by either party upon giving thirty (30) days advance written notice to the other party, stating their intent to terminate. Notwithstanding the foregoing, the parties may agree to amend the agreement to provide additional conditions or services that are mutually advantageous to both parties without terminating the agreement.

## **3. AMOUNT AND TERMS OF PAYMENT**

For and in consideration of this Agreement, the detention center evacuating the juveniles agrees to pay housing costs of One Hundred Dollars per day, per juvenile, to the Evacuation Site Center. Days shall be calculated by counting the admission date, but not the release date.

Evacuation Site Center will invoice center evacuating juveniles for services rendered. Center evacuating juveniles shall pay evacuation site center within sixty days of receipt of invoice.

IN WITNESS THEREOF, the parties hereto have made and entered into this Agreement effective on the date first written above.

FOR CADDO PARISH JUVENILE  
DETENTION CENTER

FOR CALCASIEU PARISH  
POLICE JURY

\_\_\_\_\_  
MURIEL BURNS  
Director of Detention

\_\_\_\_\_  
BRENT CLEMENT  
President

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

WITNESSES:

\_\_\_\_\_  
  
\_\_\_\_\_

**LOUISIANA DISTRICT JUDGES ASSOCIATION**  
**DISASTER RECOVERY COMMITTEE**

Mr. Scott Appe St. Tammany Parish Facilities Manager	<a href="mailto:scotta@stpgov.org">scotta@stpgov.org</a>
Hon. Guy Bradberry Judge, 14 <sup>th</sup> Judicial District Court	<a href="mailto:Hoguybrad@aol.com">Hoguybrad@aol.com</a>
Hon. Thomas Daley Judge, Fifth Circuit Court of Appeal	<a href="mailto:tdaley@fifthcircuit.org">tdaley@fifthcircuit.org</a>
Ms. Cathy Fontenot Assistant Warden/Programming/Public Information Officer – Louisiana State Penitentiary	<a href="mailto:cathyfontenot@corrections.state.la.us">cathyfontenot@corrections.state.la.us</a>
Mr. Gene Knobloch Manager Application Development Technology Department, Gilsbar, Inc.	<a href="mailto:geneknobloch@bellsouth.net">geneknobloch@bellsouth.net</a>
Hon. Madeleine M. Landrieu Judge, Civil District Court, Orleans Parish	<a href="mailto:madlandrieu@yahoo.com">madlandrieu@yahoo.com</a>
Hon. Hans Liljeberg Judge, 24 <sup>th</sup> Judicial District Court, Jefferson Parish	<a href="mailto:HansL@24jdc.us">HansL@24jdc.us</a>
Hon. Charles Porter Judge, 16 <sup>th</sup> Judicial District Court, Iberia Parish	<a href="mailto:cporter@16jdc.org">cporter@16jdc.org</a>
Ms. Carla Smith Court Administrator Orleans Parish	<a href="mailto:csmith@criminalcourt.org">csmith@criminalcourt.org</a>
Ms. Suzanne Stinson Court Administrator, 26 <sup>th</sup> Judicial District Court Bossier/Webster Parishes	<a href="mailto:sstinson@26jdc.com">sstinson@26jdc.com</a>
Ms. Jean Wall Angola Department of Corrections	<a href="mailto:jwall@corrections.state.la.us">jwall@corrections.state.la.us</a>
Hon. Fredericka Wicker Judge, Fifth Circuit Court of Appeal	<a href="mailto:rwicker@fifthcircuit.org">rwicker@fifthcircuit.org</a>
Ms. Jo Bruce Court Administrator, 19 <sup>th</sup> Judicial District Court East Baton Rouge Parish	<a href="mailto:jbruce@brgov.com">jbruce@brgov.com</a>
Mr. Jon Gegenheimer Clerk of Court, Jefferson Parish	<a href="mailto:jgegenheimer@jpclerkofcourt.us">jgegenheimer@jpclerkofcourt.us</a>
Hon. Calvin Johnson Judge, Criminal Court, Orleans Parish	<a href="mailto:cjohnson@criminalcourt.org">cjohnson@criminalcourt.org</a>



## **DISASTER RECOVERY CONSULTANTS**

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# **IMPACT OF HURRICANES KATRINA AND RITA**

## ***ON THE 22<sup>ND</sup> JUDICIAL DISTRICT COURT***

Judge Peter J. Garcia  
22<sup>nd</sup> Judicial District Court  
Parish of St. Tammany and Washington Parish

### Courthouse Facilities in St. Tammany and Washington Parishes

Both St. Tammany and Washington Parish courthouses were closed from August 29, 2005 through September 2, 2005. During this time, at least one judge met daily with parish officials regarding the status of parish operations. While court proceedings were cancelled from September 6, 2005 through September 9, 2005, the Clerk of Court's offices in St. Tammany Parish were "open" beginning on September 6, and judges were available to sign orders. "Open" means filings were accepted and subpoenas were issued on the front steps of the courthouse. Likewise, judges were available to sign orders on the front steps of both the Washington and St. Tammany Parish courthouses. Use of the St. Tammany Parish courthouse was entirely dependent on the availability of security. Initially, access to the interior of the St. Tammany Courthouse was restricted to courthouse personnel due to inadequate security. Sheriff's deputies who are usually charged with courthouse security had been reassigned to search and rescue duty and to shelter security. State probation and parole officers provided supplemental security during this time.

Limited public access to the St. Tammany Parish courthouse interior was restored on September 12. Because of limited security, court proceedings were limited to the first two of three floors of the St. Tammany Parish courthouse. Full public access with security at pre-Katrina status was restored on October 3.

### St. Tammany Parish Jail

Located in the parish seat of Covington, the St. Tammany Parish Jail houses 896 prisoners. This population is divided into federal prisoners, state Department of Corrections prisoners and local offenders who are pre-trial detainees, prisoners with probation holds, prisoners serving Drug Court sanctions, and prisoners serving time in Parish Jail. After the hurricane, essential personnel were called in, providing about 100 deputies to man the shifts, and there were 96 beds to accommodate the deputies. However, problems arose as some (unessential) personnel were unable to come in to work due to damage and destruction caused by Hurricane Katrina. As a result, the sheriff has determined that all personnel will be essential personnel in the upcoming hurricane season.

The warden of the jail has stated that their biggest problem following the hurricane was a lack of water for one week caused by a break in the City of Covington's

water main servicing the jail. During that week, the toilets could not be flushed; there was no water to cook with, and no water to drink. The Village of Goodbee's Fire Department provided water for drinking and cooking, as did St. Tammany Parish Hospital, and the jail used rainwater to flush the toilets. Due to the lack of water and a shortage of deputies, 500 prisoners had to be dispersed throughout the state of Louisiana. As the land lines and cell phones were inoperable after Katrina, the warden at the jail and his staff had to drive to Franklinton or Hammond to make phone calls for the purpose of evacuating inmates. This task was further complicated by the evacuations of other jails in Orleans and other surrounding parishes affected by the hurricane. Satellite phones were later provided and were used by jail staff to contact the Department of Corrections, U.S. Marshals, and other agencies regarding the evacuations, which took 3-4 days to accomplish.

In order to avoid losing too many of these prisoners in the system, judges took pleas and handled revocation hearings in the jail thus placing 13 prisoners in the appropriate DOC custody. The court conducted 29 revocation hearings in a six-hour period.

There are currently 736 prisoners at the St. Tammany Parish Jail, with more being shipped out to other facilities due to staffing shortages. Since January 1, 2006, there have been 29 applications for employment in the corrections division of the sheriff's office. Approximately 5 of those 29 passed the screening process, and of those, only 2 have begun working at the correctional facility. They are approximately 38 deputies short, causing the closing of additional housing units.

### Court Functioning

Beginning on September 6, the judges began meeting regularly to establish a schedule of their availability at the courthouses to sign orders and to conduct hearings at the St. Tammany and Washington Parish jails. Because deputies were unavailable to transport prisoners to the courthouses, judges agreed to conduct hearings at the jail. This necessitated coordination with the offices of the Clerk, D.A., and public defender. Beginning on September 12, regularly scheduled dockets were resumed to the extent participants were available. Proceedings, being limited to the first two floors of the courthouse were conducted in courtrooms and the Sheriff's office. No jury trials were conducted until September 26 in St. Tammany and October 3 in Washington Parish. Daily memos were distributed to all courthouse personnel regarding dockets, locations of court proceedings, etc.

Transport from the St. Tammany Parish jail resumed September 28; so criminal hearings were resumed at the courthouse. Beginning October 3, pre-trial detainees who had been evacuated to other prison facilities across the state began to return. This prompted each judge to immediately begin setting pre-trial hearings.

On October 3, normal courthouse security resumed, and court proceedings were conducted throughout the St. Tammany Parish courthouse. Jury trials were restored;

however, leniency was exercised regarding juror excuses, particularly for the Slidell area. Special notices were drafted and sent to prospective jurors explaining the need to conduct jury trials, but offering special consideration for extenuating circumstances.

In spite of these problems, the 22<sup>nd</sup> JDC conducted 123 jury trials in 2005. Because of the devastation in Jefferson Parish, this was the second highest number of jury trials handled by any judicial district in the state, surpassed only by Orleans Parish.

#### Assistance to Orleans Parish Civil District Court

Beginning on October 3, two courtrooms and judges offices were made available on a full-time basis to the judges of the Civil District Court in N.O. 22<sup>nd</sup> JDC judges shared other courtrooms to make this accommodation. This arrangement required the cooperation and consent of St. Tammany Parish government, owner of the courthouse, and the St. Tammany Parish Sheriff, provider of courthouse security. CDC provided their own staff, including security, during their use of the St. Tammany Parish courtrooms. St. Tammany Parish provided use of office equipment. CDC continued their presence in St. Tammany Parish until the New Year.

#### Supreme Court of Louisiana

#### 22<sup>nd</sup> JDC Drug Court

The number of clients in the adult drug court program was 265 before the storm and 232 after, almost a 9% decrease. Juvenile drug court saw a decrease of 8%. This decrease resulted from transfers to other drug courts, absconded clients, and those who were revoked following the storm.

The 22<sup>nd</sup> JDC Drug Court has an average relapse rate of 5-7% over a two-month period. During the two months following Hurricane Katrina, approximately 20% of the clients relapsed. Both the adult and juvenile treatment centers were lost in Slidell, as well as a screening facility and over \$20,000.00 of adult drug court equipment. Staff members not only dealt with post-Katrina issues of their own (including two who were displaced from their homes), but assisted drug court clients in attaining assistance through FEMA and the American Red Cross.

For the first couple of weeks, there was no treatment or screening. Afterward, there was a search for additional personnel to provide the treatment and screening which previously was provided by Florida Parishes Human Services Authority. This increased costs to the Adult Drug Court program by \$30,500 for treatment for drug screening annually. This cost will go up even more next year as additional clients are absorbed--FPHSA will no longer contribute to the cost of screening and treatment. A new treatment and screening facility was established in Covington at a cost of approximately \$100,000 annually for personnel and rent. Services in Slidell were contracted out with another licensed treatment facility.

#### Personal Trauma

All of St. Tammany Parish and Washington Parish were affected by Hurricane Katrina and to some extent, Rita. St. Tammany and Washington Parishes lost the number of trees in one night that are harvested annually in the entire state of Louisiana, causing massive damage to houses, telephone, electrical and cable services and blocking streets for days and even weeks. The hardest hit area was Slidell, on the eastern end of St. Tammany Parish, which had sustained winds of 176 mph and 190mph gusts, as well as a 23-26 foot storm surge during Hurricane Katrina, and additional flooding from Rita. The Slidell mayor's office estimates that within city limits (which do not include the Eden Isles area or others along the lake completely devastated by the storm) at least 80% of the homes in Slidell were damaged or destroyed, and 35-40% of the citizens of Slidell were left homeless immediately following the storm. Both Slidell City Hall and the Slidell Police Department were flooded, and the city lost 30% of its employees. All of the businesses in Slidell were affected by storm damage and/or loss of power for 4-5 weeks after the storm, and approximately half of the Slidell businesses are not yet open. The Slidell police department, city workers and volunteers rescued between 300 and 400 people during the storm. As late as December of 2005, the Arkansas National Guard was still patrolling Slidell neighborhoods affected by the hurricanes 24/7. The Red Cross Center in Slidell distributed over \$19 million dollars in aid and assisted over 55,000 people in the months following the storm (which is approximately \$345/person).

Seven of the ten 22<sup>nd</sup> JDC judges personally suffered damage to their homes and property. Two of them lost their entire homes requiring their relocation to Baton Rouge and Pearl River, from which they commuted on a daily basis without interrupting their court schedules. Many judges and staff had no electricity for weeks after the storm. Several staff members also lost homes and one has terminated her employment with the court as a result.

### 2006 Continuing Effects

The 22<sup>nd</sup> JDC is still unable to conduct first-degree murder trials due to the unavailability of hotel rooms for sequestered jurors.

Many lawyers from within the 22<sup>nd</sup> JDC and other surrounding areas have suffered loss of their offices and records. The judges continue to give consideration to their special needs. The location of parties to litigation and witnesses continues to be a problem.

Foreign language interpreters have become less available. More advance notice and planning is required to insure availability of interpreters.

The population increased by approximately 60,000 people since August 29, which resulted in traffic and crime, issues. Juvenile drug court begins later in the afternoon due to traffic concerns. Bookings at the St. Tammany Parish jail have increased 20%.

The Slidell Police Department crime statistics show an increase in some categories from the period of 8/29/05-3/28/06 over the same time period a year prior, but with a decline in overall arrests. Crime, which appears particularly attributable to the hurricanes, includes the following:

	<u>8/29/04-3/28/05</u>	<u>8/29/05-3/28/06</u>	<u>increase</u>
Looting	0	9	
Simple Burglary of a Residence	64	181	182%
Simple Burglary of a Business	36	61	69%
Fraud	22	33	50%
Crashes	1422	1865	31%

The Mandeville Police Department reported 17 cases of looting for September through December of 2005, where previously there had been no reports. MPD also showed a 31% increase in the number of auto accidents from the same time period a year before. There was not an increase in the number of simple burglaries of business or residences, or in fraud cases as that seen in the Slidell figures. However, comparing the three months prior to Katrina with the three months immediately after, there was a 900% increase in simple burglary of a residence, 200% increase in fraud, and 1700% increase in looting.

Bookings in St. Tammany Parish Jail reflect increases in the local municipalities as well as in the unincorporated areas of the parish, as many of the municipal arrests are also booked in the St. Tammany Parish Jail. From January 1, 2006 through March 30, 2006, 2,688 people were booked at the parish jail, including 450 returned inmates. For the same period of time in 2005, there were 2,176 bookings.

For your review I am sending in the mail a copy of the results of a Hurricane Katrina population impact study performed by Claritas. The most significant figures in the report for purpose of the court are the Updated Population Impact of Hurricane Katrina. St. Tammany Parish was a high-growth area prior to Katrina. Claritas analysts estimate that the population of St. Tammany Parish without the impact of Hurricane Katrina would have been 221, 808. With the sudden influx of people from devastated surrounding parishes, St. Tammany's January 2006 population rose to 276,599. This "overnight" increase of 54,791, an almost 25% increase over projected growth has strained every element of our infrastructure. Roads, schools, churches, grocery stores and restaurants are all strained. The traffic gridlocks alone lead to road rage, increased accidents, and regularly late court appearances.

This growth far surpasses that of any other parish or county in the area, including East Baton Rouge, which saw the second highest rate of growth with an estimated 9.1% increase in its 2006 population (37, 776 additional people) with the impact of Katrina over the projected growth rate had Katrina not occurred.

## **IMPACT OF HURRICANE KATRINA (RITA) ON THE 24<sup>TH</sup> JUDICIAL DISTRICT COURT**

### ***Lessons learned, the hard way***

Patricia M. Joyce  
Criminal/Domestic Commissioner  
24<sup>th</sup> JDC

### **What Happened from the Criminal Commissioner Perspective:**

On **Friday August 26<sup>th</sup>, 2005**, I left the courthouse oblivious to what lurked in the gulf. My 8 year old niece in Boca Raton, Florida called to tell me that Tropical Storm Katrina had knocked out the power, that the storm was getting stronger, and it would hit New Orleans. How cute, I thought, she's worried about us. I should have listened, instead I went to exercise, picked up my daughter from school, and confirmed weekend plans, including a Saturday night sleep over at our house.

On **Saturday** morning, I decided to make the peanut butter, water, and battery grocery store run. Jim Dempsey, the court's administrator called to let me know that the court would be closed on Monday and Tuesday due to the evacuation.

By Saturday at noon, I headed to the Jefferson Parish Correctional Center, to set bonds and handle the domestic abuse cases and see where else I might help out. By this point many families were evacuating the area. I wanted to have arrestees processed so that, if appropriate, he/she could be released. I also wanted to lighten what I anticipated would be my very heavy docket on the following Tuesday or Wednesday.

Judge Wicker called in to advise of her evacuation plans. She asked me why I was still in Jefferson Parish. Instead of following Judge Wicker's advice, I went home to host a sleep over of little girls, all of whom also had clueless parents.

At 5:00 a.m. **Sunday** morning, the weather channel said "category 5, heading to New Orleans". This got our attention. We decided to evacuate. We woke up the slumbering girls, called parents, boarded up and headed to Monroe, Louisiana.

The single most important thing I did was to call the Correctional Center on Sunday to advise that I was evacuating and to give a landline contact number in Monroe. I had no idea that the landline phone information would become critical, as cell phones and the court's email were about to crash.

Late Sunday night, I checked in again with a second landline number and a fax number. The JPCC faxed the probable cause affidavits and bonds to set. Late Sunday night I did the pcs and set bonds.

On **Monday**, I was unable to contact JPCC by phone or fax. I did finally reach the East Bank lockup which advised me that Jefferson Parish was flooding. Later that night, JPCC was able to reach me by landline. Phone calls took a long time to get through and once connected would disconnect in mid conversation. The fax line was the same.

The jail and I discussed the available options for getting the probable cause affidavits completed within the required 48 hours, getting bonds set, and having first appearances within the required 72 hours. Then the prisoners needed to be evacuated, and this process needed to be speeded up to accommodate the evacuation process and the reality of the conditions in JPCC.

We devised a system whereby a deputy would read probable cause affidavits out loud to me, and I would approve or not approve it and set a bond. The deputies really deserve a lot of credit for this. Sergeants St. Lucia and Williams, read handwritten affidavits, by flashlight, in an un-airconditioned jail, under ugly conditions, with phones that kept cutting off without notice.

Setting bonds proved to be a new challenge. The Sheriff's computers were not operational. That meant there was no way to check criminal records, backgrounds, pending cases, or any of the other factors we use when setting bonds. Many of the charges were looting, a charge not on the 24<sup>th</sup> JDC suggested bond range schedule. I decided that looting charges would have a \$ 50,000 bond.

For "first appearances", a telephone system was established. Deputy Roussell was instrumental in setting up this system with the limited resources available at JPCC. This was a long and tedious process, since, for security reasons, only 2 or 3 arrestees could be brought in at a time. The first day, the jail could not locate a



speakerphone, so the phone was passed from deputy, to the defendant, and then back to the deputy. When a speakerphone was finally located, we really thought we had reached a new technological height.

By late Tuesday/Wednesday, the jail was able to send faxes, but not always receive them. They had only very limited power and to send/receive a fax required unplugging some other piece of essential equipment, like a light or fan. Frequently phone calls and faxes would take multiple tries, over long periods of time, to go through. With the fax, the work became much easier as PC's and bond settings were faxed.

I was also receiving assistance from other Judges, who called into JPCC with their contact information. These included Judges Liljeberg, Wicker, and Cusimano. We settled into a daily pattern of checking in to be certain that someone had taken over the phone/fax duty.

About 12 days after August 29<sup>th</sup>, I was able to stay with friends in Mandeville and commute to the court and JPCC. I showed my parish ID and talked my way over the Causeway. When the Pontchartrain Expressway reopened for emergency personnel, I did the same. Without this, the route from Mandeville to Gretna would have been long and crowded.

### **What went right:**

- Working the Saturday in advance of the storm. Whenever a voluntary evacuation is anticipated, there should be a protocol for clearing out as many arrestees as prudently possible from intake at JPCC.
- Taking my briefcase with me, with my copy of the Code of Criminal Procedure
- Getting landline contact information to JPCC in advance of the storm.
- Judges called in with their contact information.
- Deputies were able to be creative and accommodating.
- Everyone had a probable cause determination timely
- Everyone had a bond set timely
- Everyone had a first appearance timely.
- Having my parish ID card in my purse.

### **What needs work:**

- A **contact information system** for reaching each other when an evacuation is called. We must know who evacuated and how to reach them. Whenever the parish calls for a voluntary evacuation, the judicial administrator's office should be a receiving point for the landline number, out of the hurricane zone, for contact purposes. Even if it is not your final destination, it would be a number where someone would be able to advise of your whereabouts and how to reach you. If email could be made reliable, this information could then be emailed to the judges, administrators, and law enforcement.
- A better **communication system**. Cell phones simply did not work. Landlines were unreliable. Hours were spent trying to connect by phone or fax. In addition, there was no "official" communication on the conditions in Jefferson Parish. We were left to receive our news from TV and the limited contact we had with law enforcement. We later learned that much of the TV information was inaccurate.
- All **computer systems** went out. The 24<sup>th</sup>'s website went down and along with it our ability to communicate by the 24<sup>th</sup> email system. My personal email, through a downtown New Orleans server, also went down. One suggestion is to have the server (or a back up server) for the 24<sup>th</sup> JDC located out of the hurricane area. My

husband's company had its server located in Dallas. When his business went under 8 feet of water, his email still worked. He was able to email key employees, access key information and formulate plans.

- The Sheriff's **ARMM's and Cdims systems** went down. We could not check criminal records, probation status, warrants, pending cases, etc. This, coupled with only unreliable reports on the conditions in Jefferson Parish, led to the setting an automatic \$ 50,000 bond on all looting charges.
- 24<sup>th</sup> JDC employees now have access to the clerk of court's Jeffnet for accessing public records. If the server is offsite in a safe location and operational after a storm, this will be helpful.
- There needs to be a **plan** for the next evacuation. We were inventing procedures as we went along.
  - The plan needs to start with the earliest warning triggering the extra hands on deck to clear out intake. Once a voluntary evacuation is requested, this should be moving forward so that when the mandatory evacuation is announced, most judicial officers will be gone and the task already accomplished.
  - Post evacuation, if the contact information has gone smoothly, JPCC should be able to reach at least 2 judicial officers at all times.
  - It may be necessary to amend the local rules to implement the some parts of the plan, i.e. for phone first appearances, for the video arraignments we continue to do, etc...
  - It may also be necessary to amend the Code of Criminal Procedure. 48 and 72 hour delays are not reasonable when there is a mandatory evacuation of a parish.
- As a part of this plan, those needing early return, after an evacuation, need **identification** or a pass, recognized by National Guard, permitting access to the area after the storm. My parish ID is the same one issued to anyone who works for the parish. Fortunately, I was able to talk my way onto the restricted roadways.
- The plan needs to be in a handy reference form, online and on paper that the JPCC and judiciary can quickly access and refer to when a storm enters the gulf.

**IMPACT OF HURRICANES KATRINA AND RITA  
ON THE 24<sup>TH</sup> JUDICIAL DISTRICT COURT**

Judge Robert A. Pitre, Jr.  
24<sup>th</sup> Judicial District Court  
Parish of Orleans

I am proud to say that the Twenty Fourth Judicial Court and its Judges, upon its return from the Katrina forced exile to many parts of the country, have been ready and available to provide the same level of services post Katrina as pre-Katrina, with the exception of jailed criminal defendants.

Immediately following Hurricane Katrina, the Twenty Fourth Judicial District Court Judges, Judicial Administrator, Parish Court Judges and Supreme Court Justices and Officials were in contact with each other, in person and by telephone, striving to organize the reopening of the Court. The old courthouse, the nine story building, suffered minor damage. We had a few windows blown out which resulted in relatively minor damage. We are presently working with a service in Baton Rouge that will provide us with the ability to communicate with each other in the event of another Katrina like event where we lose power and computer and telephone system loss.

The Liberto Building suffered major damage and will be torn down. Because of the extent of the damages to that building, it was necessary that we find accommodations for the four Judges that were conducting court there. With the help of Jefferson Parish General Services, we were able to renovate space in the nine story building for Judges Sassone, Hand, Liljeberg and Guidry prior to the opening of the Courts.

Our computer system servers were in the Liberto Building, and suffered some damage. We were able to move those servers to the new Second Parish Court Building, however, we were unable to use the network system because of a lack of electricity and our e-mail servers went through Cox Cable, which was not operational.

By October 10, 2005, all of the judges were back and ready for business. The Judges have been meeting to discuss the reopening of the Court. The Twenty Fourth Judicial District Court officially reopened for business on October 11, 2005. We have resumed all activities and are maintaining full dockets.

Originally, the Twenty Fourth Judicial District Court had been asked, by the Parish Administration to cut its budget by 20% to 30%. However, by mid-January the required cuts were greatly reduced. To date, we have lost three employees as a result of the budget cuts. The Court has applied for a FEMA grant through the Supreme Court for reimbursement for lost and damaged equipment. Only time will tell if we are reimbursed.

Our criminal caseloads have reduced, but not significantly. As of January 3, 2006, the Sheriff's Office has been bringing our evacuated inmates back to the Correctional Center in dribs and drabs. The original plan was to bring back approximately 700 of the evacuated inmates over the next few months; however, because of the number of arrestees that are in the correctional center the Sheriff will only bring in particular evacuated defendants on an as required basis. We are already in a jail overcrowding mode.

The Courthouse Annex suffered roof damage in Katrina. The damage set the construction back approximately six months. We are advised that we should be back in the Annex in August. We have also experienced another setback; the company that was refurbishing the benches for our courtrooms was flooded, destroying all of our benches. It remains to be seen if the Parish will have sufficient funds to replace these benches in time for the opening of the Annex.

The Judges of the Twenty Fourth Judicial District Court are hoping for a better year in 2006. Thus far, in 2006, we have been trying Jury cases, both civil and criminal. However, the Clerk of Court has been issuing approximately 1,000 notices in order to secure the presence of approximately 100 jurors. We expect that this situation will improve shortly. We will continue to strive to provide the best services possible for the attorneys and citizens of Jefferson Parish.

## ***IMPACT OF HURRICANES KATRINA AND RITA ON THE 25<sup>TH</sup> JUDICIAL DISTRICT COURT***

Judge William A. Roe, Chief Judge  
25<sup>th</sup> JDC, Parish of Plaquemines

Like everyone else in the New Orleans area, we evacuated Plaquemines Parish believing that we would be returning in a few days. When it became apparent that we were not returning for a while, a number of problems which should have been foreseen - but were not, emerged.

For instance, communications were gone. The two judges of the 25<sup>th</sup> JDC could not communicate with each other or with the Sheriff=s Dept. It was weeks before I was able to locate and communicate with my staff, and then some only by e-mail. It was several weeks before I was able to talk to the sheriff about releasing prisoners who were being housed in East Baton Rouge Parish. Finally, a large number of prisoners who were not flight risks or had histories of violence were released to ease the overcrowding in that facility.

It was 3 weeks before I was able to return to my home. However, even then much of my staff was unable to do the same - many of them having lost their homes. We were able to reopen our offices October 3, but much of the staff of both our judges were dislocated and had nothing to return to. I spent the next several months attempting to find housing for our staffs and it was not until December that all of our employees had FEMA housing.

To date we have not been able to locate all of the criminal defendants with pending cases. While a vast majority have returned and have been docketed for court, we are dealing with the problem of notice, with the issue as to whether notice to the bondsman is sufficient or fair.

Specific to our district are several issues. For instance, the Parish Prison and the Juvenile Detention Facility were both totally destroyed. The Sheriff is still unable to house any prisoners in this parish and he is relying on other sheriff=s to house prisoners awaiting trial or serving parish time. More critical however is the juvenile detention issue. We have nowhere to place juveniles and the word is out. Without the threat of detention, some of our juvenile offenders are getting out of hand. While the sheriff is undertaking the rebuilding of the parish prison, he has not plans to replace the juvenile detention facility.

Equally important is the lack of mental health facilities for juveniles. We were totally dependent on facilities in New Orleans for such services and now have none.

Because we had lost our courthouse in the fire of 2001, we were operating out of a suite of offices (with a small courtroom) in Belle Chasse on loan from the parish

government, and using a renovated community center in Diamond (25 miles south of Belle Chasse) for court settings requiring a larger capacity. The community center was totally destroyed. While FEMA has promised and we are in the process of obtaining a temporary facility (modular units pieced together), the process has been slow and we must hold court solely in the one small courtroom available to us.

While we have been able to hold a couple of criminal jury trials, the jury venire is now almost entirely residents of the Belle Chasse area. The racial and social-economic makeup of the venire is drastically different than before and legal issues may arise along those lines. In addition, for obvious reasons the imposition of jury service on people who had been evacuated and/or out of work for months is a difficult proposition and not well received by the public.

From a long-term perspective, we, as I mentioned, are in temporary facilities and must rebuild our courthouse. As the situation now stands, we are obligated to rebuild it in east Pointe-a-la-Hache where approximately 30 feet of water washed every structure away. Thus, we are faced with our fourth effort to move our parish seat, or build an annex in the Belle Chasse area in addition to the courthouse in that remote and flood-prone location.

While the topic of reducing judges is most popular, it is reasonably expected that as much as 75% of the parish's population will return. Since we only have two judges (and it is impractical if not impossible to have a one-judge judicial district) such a move is not reasonable for our parish and district.

**Report from Cameron Parish**  
**RE: Hurricane Rita**  
**March 29, 2006**  
**by Hadley Ward Fontenot**

The 31<sup>st</sup> Judicial District serves the parish of Cameron. The parish is the largest geographically and the smallest in population in the state. It is also the most vulnerable to hurricanes because of its long, flat coastal exposure and a topography which is mostly wetlands.

As the threat of Hurricane Rita became evident in late September, 2005, there was no question that evacuation was necessary and would have to be total. In 1957, Hurricane Audrey caught the parish unaware and some 600 people perished. Consequently, the evacuation plan for Cameron in Rita met with 100% total compliance with the remarkable result that not a single life was lost.

The projected landfall of Rita by the U.S. Weather Service was initially on the Texas gulf coast. Even at the time of evacuation on September 22, 2005 it was assumed that the disruption of Cameron would be minimal and that the court operations would be able to return to normal routines as early as Monday, September 26<sup>th</sup>. The courthouse in Cameron is a three story structure solidly built on concrete and steel, constructed in 1938. It houses the courtroom, judge's offices, Clerk of Court, the sheriff's dispatcher and the jail. The Clerk of Court occupies both the first and second floors with the judges on the third. On Wednesday, September 21<sup>st</sup> the Clerk of Court began moving all of its active judicial files in civil, criminal and juvenile matters up to the third floor, utilizing the courtroom and judge's offices. Also moved were computers, printers, scanners and other equipment that could be carried manually upstairs. The only things that remained on the bottom floor were old files, original documents and exhibits.

It should be noted here that after Hurricane Audrey, the Clerk of Court had begun a summer program of microfilming all filings. These were shipped to and stored safely in the Parish of Rapides in Alexandria, Louisiana. Five years ago, the program was modernized so that all filings are now scanned daily onto a hard drive. This digital recording has a back-up system in that every twenty-four hours at midnight the disc is copied electronically offsite and permanently stored.

On September 22, 2005 the prisoners in the jail were evacuated to a facility in North Louisiana and all personnel working in the courthouse, including the sheriff's dispatchers, secured their offices and moved out of the parish. The courthouse, the town of Cameron and all of the communities along the coast were now uninhabited.

My family and I evacuated to Lafayette, Louisiana where one of my sons had an apartment. By the Monday, we realized that the devastation was more than had been anticipated or imagined. The over-arching problem was the lack of communication. The city of Lake Charles, Louisiana which is the closest urban hub to Cameron was totally prostrate. There was no electricity, no landline telephones and no cell phone service in

operation. There was no way to contact the law enforcement agencies, the parish officials, the Clerk of Court or even my own personal court staff. I was not able to make contact with my secretary until October 4, 2005 when I discovered that she and her family were housed in a motel complex in the town of Kinder, Louisiana, north of Lake Charles. As radio and television services were restored in the Lake Charles area we began to learn about the level of destruction in the city. However, there remained an absence of any assessment of damage in the Parish of Cameron because the roads were still inaccessible and there was no operational network of communication between agencies responsible for the parish.

Without dwelling on this period of anxiety and frustration, I was able to reach my home site by October 2, 2005. Because of the fallen trees blocking the road, it could only be reached by foot. I will only summarize my personal problems by saying that my losses were minimal and were but a fraction of that suffered by neighbors. My home area would not have electricity or water for some weeks, but by using a generator, bottled water and ice supplied by the National Guard, we were able to return permanently to the home place within three weeks of the Hurricane.

The site of the courthouse was a different matter. The town of Cameron which is the county seat of the parish is located in the lower tier, on the mouth of the Calcasieu River about a mile from the Gulf of Mexico. The town had experienced a storm surge with tsunami-type characteristics of ten to twelve feet. I waited for the news regarding the courthouse and was relieved that the first reports in the last week of September were that the structure was intact but flooded in the lower floors. Fortunately, the courtroom, judges chambers and associated offices are all located above the flood line. The main office of the Clerk of Court is located on the second floor and that floor was also above the flood level. However, the first floor of the courthouse was flooded with a mixture of tidal water and mud.

Because the courthouse was the only usable building in lower Cameron, the upper floors were immediately commandeered by the emergency services. The courtroom itself became the central office for the US Army. My chambers became the bunkhouse for the officers. Subsequently, FEMA operations were also conducted on the third floor as these different agencies fought for space.

I was able to make my first trip to the courthouse on October 5, 2005 and was relieved to find that my chambers and the offices of my secretary, all on the third floor of the courthouse, had been virtually untouched. During the first week of October, I made contact with Mike Canaday, chief judge of the 14<sup>th</sup> Judicial District Court and with Jeannette Knoll of the Louisiana Supreme Court. We conferred in order to draft orders dealing with the emergency situation. Mike and I traveled to Baton Rouge on October 6 to meet with Jeannette in the recovery effort. My staff and I began a process of transferring our computers, typewriters and other office equipment to the Calcasieu Parish courthouse (14<sup>th</sup> Judicial District) where the judges had graciously made office space available for us. The US Postal Service set up a temporary post office at the Chenault Airbase Center in Lake Charles, Louisiana where post office boxes were



assigned to correspond to those which residents of lower Cameron had before the storm. None of the postal facilities on the four zip code areas of lower Cameron survived the hurricane.

Currently, we continue to operate in the Calcasieu Parish Judicial Center. We conduct criminal, civil and juvenile matters here in the town of Lake Charles, Louisiana. Of course, the district attorney has delayed the prosecution of any felony matters until we can return to the proper venue for those proceedings.

The Clerk of Court initially set up temporary offices in Jennings, Louisiana, some thirty miles to the east on I-10. Soon, thereafter, a satellite Clerk of Court's office was established in the Parish of Cameron in its community of Grand Lake which is in the northern part of the parish. As part of this arrangement, the clerk uses couriers and minutes clerks to ferry files back and forth to the courthouse in Lake Charles, Louisiana where court was being conducted.

Meanwhile, the use of the Cameron Parish Courthouse by the various federal agencies was coming to an end and on March 1<sup>st</sup> the Clerk of Court moved its operations back to its own offices. The court will move its operations there in the month of April. It could not be done earlier for several reasons. One is that the facilities to conduct court hearings were not available until electricity, water and sewage to the courthouse were secure. All notices that had been sent out for court appearances had indicated that such would be conducted in Calcasieu Parish. And, lastly, the population is still displaced and it will be inconvenient and sometimes dangerous to travel back to Cameron on substandard highways to attend court. The notices which we are presently sending out for future appearances indicate that there are no restaurants, grocery stores or service stations within an hour's drive of the courthouse. All persons summoned are advised to bring their own food and insure that there is adequate fuel in their automobile tanks. Emergency care will be available with an ambulance team and a med vac helicopter.

Because only a fraction of the population has returned to the parish, all notices being sent by the court are done by ordinary mail to the last known address. The attorneys are operating out of temporary offices in various locations. Surprisingly, in our Lake Charles operation, we have had good response to summons, subpoenas and other such communications. We feel that judicial service to the population under these trying circumstances has been remarkably well performed. No jury trials were attempted during this diaspora but several jury trials are scheduled for April in Cameron itself. We do not know what the response will be nor can we anticipate what the attitude of those who are summoned will be. All of the venire will have to travel long distances and there are certain inconveniences which cannot be avoided.

Because all of the lawyer's offices in lower Cameron were destroyed, I am arranging to have a large trailer outfitted with cubicles, telephones, fax machines, etc. to be used by attorneys who will be traveling to the town of Cameron for court business. This will be their home away from home.

As mentioned above, the court will attempt to conduct all business in the town of Cameron after April 1<sup>st</sup>. The biggest challenge will be jury trials. We have juries scheduled for the middle of the month. We do not know the percentage of successful contacts by mail nor do we know how much of the population still considers themselves to be Cameron Parish residents. We are hoping that in the spirit of citizenship, our residents will make the effort to travel to Cameron, will declare that they are still domiciliaries of the parish, only temporarily removed and that we will thereby achieve a viable venire.

Regarding damages to judicial records as a result of Rita, the clerk was successful in protecting most current files. As mentioned, the clerk had moved all active files to safety. However, all files that were checked out to attorneys whose offices were in Cameron were lost. This is because every attorney's office located in the southern half of the parish were completely inundated by the tide water and most of the contents were completely unretrievable. The Clerk hired a professional company to gather the files and exhibits which had been flooded in the bottom floors of the courthouse and to place them in a freezer where they remain to this day. A professional restoration company will carefully thaw and copy digitally each and every document and exhibit. The clerk informs me that this step will cost over \$350,000.00.