

President's Column

Michael Cicconetti

During the past 12 months the slogan of Morton Salt, "When It Rains It Pours," did not bring to mind images of the "Morton Salt Girl" walking in the rain accidentally dropping salt behind her. However, this slogan was a real and literal statement of water disasters in various parts of this country.

Living in Northeastern Ohio, we are constantly promoting this part of the state as an area virtually free of natural disasters. Oh sure, we have our lake-effect snow, which we have learned to treat as more of an inconvenience and annoyance than a danger. Hurricanes? Those are reserved for the coastal states. Tornadoes? Hello, Kansas! Northeastern Ohio hasn't experienced one in 35 years. Droughts? We may have an occasional dry spell during the summer but we always have the Great Lakes as a plentiful water source. Mudslides? Never. Forest fires? Doesn't happen. Earthquakes? Minor blips on the Richter Scale.

Our so-called "Greatest Location in the Nation" suddenly became a misnomer during the last week of July. The rains in Lake County, Ohio, began on Thursday morning and continued, nearly nonstop, for the next 17 hours. Some areas within three miles of the Painesville Municipal Court received up to 10 inches of rain. The ditches, creeks, and rivers reached unprecedented levels. Storm and sanitary sewer systems exceeded capacity and forced water into the basements of hundreds of homes. In places where the river crested and continued to rise, residents were pulled to safety by firefighters, in boats, from second-story bedroom windows and rooftops. The media and meteorologists were calling this a "hundred-year flood."

As the time for the opening of court approached on Friday, July 28, it soon became evident through the phone calls of employees that many of them had suffered water damage in their homes. Others were prevented from coming to work due to the closure of major highways and roads. Fortunately, we were able to open with a skeleton crew to handle the overnight lockups, but full operation of the court was impossible due to a lack of staff and ancillary services. Law-enforcement officers, who were available, directed their resources to the flooded areas.

The weekend provided enough relief time for many of the lesser flooded areas to sufficiently clean up and become operational. Other areas of the city represented a microcosm of some areas I viewed a few months ago in New Orleans.

On Monday morning, the court was 100% functional and most employees returned to work. That morning also brought to the forefront the obvious questioning of our ability to operate if a natural or man-made disaster caused devastation to interrupt or suspend operation of the court. Coincidentally and ironically, an e-mail was sent and delivered on the day of our shutdown and opened by me, on Monday, eerily reflecting the then-present predicament of our court.

The e-mail was sent by Pam Casey from the National Center for State Courts inviting me, as president of the American Judges Association, to appoint a representative for a national coalition to guide a new project in the emergency management area. Funded by the United States Bureau of Justice Assistance, this project will develop a plan for the continuity of court operation during an emergency. As described by NCSC, this plan establishes processes and procedures to quickly deploy pre-designated personnel, equipment, vital records, and supporting hardware and software to an alternative site to sustain organizational operation for up to 30 days. The plan designates the leadership decision process to determine the best course of action for response, recovery, and



implementation of the continuity-of-operations procedures. NCSC further states this will be a 19-month project for developing an online planning guide as well as a series of online curriculum modules to facilitate effective continuity of operations planning for America's courts.

Of course, any continuity-of-operations plan requires coordination with a variety of organizations and agencies such as corrections, emergency management, law enforcement, the private bar, prosecution, public defender, and public health officials. Hopefully, this project will provide resources and answers to assist courts in the event of a disaster, emergency, or a pandemic flu.

How many times have we said to ourselves, "This kind of disaster could never happen to us!" Well, I wasn't around 100 years ago to see the last flood in my area, but I have lived through, and experienced, this devastating flood and discovered we were ashamedly unprepared for its consequences. I certainly urge your endorsement of the National Center for State Courts' efforts through the Bureau of Justice Assistance in designing a blueprint to assist all of us when events require the suspension of court operations.