

CONFERENCE OF CHIEF JUSTICES

Resolution 8

In Support of Emergency Preparedness in Dependency Matters

Whereas, recent disasters, including the super storms (Katrina, Rita, Irene and Sandy), resulted in the displacement of thousands of children in foster care and the inability of dependent children and their families to access the courts, as well as legal and social services, in the chaotic aftermath of such disasters; and

Whereas, in an emergency, dependent children need to return to a safe, stable and permanent living situation as expeditiously as possible, in compliance with time constraints of federal and state authorities; and

Whereas, the first priority of the courts in an emergency is to ensure the safety of the public, court personnel and those who access the courts, including the dependent children and their families whom the courts serve; and

Whereas, in an emergency, courts must collaborate with child welfare stakeholders to identify and locate dependent children and their families promptly so that vital services to them are continued; and

Whereas, in an emergency, courts need to be prepared to restore communications with court leaders, dependent children and their families promptly, as well as their attorneys and external stakeholders, such as child welfare agencies; and

Whereas, with regard to dependent populations in an emergency, there is a critical need to eliminate barriers to accessing and sharing confidential information (electronic and paper) by stakeholders and their emergency designees who legitimately need such access; and

Whereas, before, during, and after an emergency, there is a need for courts to assure and promote jurisdictional flexibility when they are faced with the obligation of furthering the safety, permanency and well-being of its dependent populations; and

Whereas, in the face of these particular problems affecting dependent populations in an emergency, the Conference of Chief Justices (CCJ) and the Conference of State Court Administrators (COSCA) have supplemented its *Court Security Handbook - Ten Essential Elements for Court Security and Emergency Preparedness*, by identifying what steps must be taken collaboratively by court leaders and essential stakeholders to ensure that courts are able to meet the safety and security needs of its dependent populations in the event of an emergency;

NOW, THEREFORE, BE IT RESOLVED, that the Conference of Chief Justices endorses the Court Security Handbook's specific recommendations for promoting the safety and welfare of dependent populations during an emergency; and

BE IT FURTHER RESOLVED that the Conference of Chief Justices urges all state courts to assure that their Continuity of Operations Plans specifically address the unique security issues affecting their dependency populations in an emergency; and

BE IT FURTHER RESOLVED that the Conference of Chief Justices urges state courts to take a leadership role in disaster emergency planning and work collaboratively with child welfare stakeholders, legislatures and bar associations to promote the safety and stability of their dependent populations in the event of an emergency, including facilitating access to needed legal and social services; and

BE IT FURTHER RESOLVED that the Conference of Chief Justices urges the federal government, including the Department of Health and Human Services, and state governments actively to address, promote, institutionalize and fund emergency preparedness planning as an essential component of its programs and services for dependent children.

Adopted as proposed by the CCJ/COSCA Security and Emergency Preparedness Committee at the 2013 Conference of Chief Justices Midyear Meeting on January 30, 2013.