

Pandemic and Emergency Planning

“Preparing for the Unthinkable”

Administrative

Part II

Office Of the Courts

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Introduction

➤ **“Preparing for the Unthinkable**

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➤ **National Response**

➤ **Workgroup**



Court Planning Environment

➤ **Variety of Courts**

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➤ **Lack of Resources**

➤ **Diffusion of Responsibility**



Strategy

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1. Address Legal Issues

Public Health Law Judicial Reference Guide for Arizona Courts

CENTER FOR PUBLIC HEALTH LAW PARTNERSHIPS
UNIVERSITY OF LOUISVILLE

A COLLABORATING CENTER OF
THE PUBLIC HEALTH LAW PROGRAM

Centers for Disease Control & Prevention

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Strategy

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2. Provide Information

Information Guide: EPIDEMICS AND THE ARIZONA COURTS

November 2006



ADMINISTRATIVE OFFICE
OF THE COURTS

EMERGENCY RESPONSE AND SECURITY



Strategy

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3. Provide Planning Template



Strategy

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4. On Line Planning Tool

Beta Testing



PANDEMICS AND INFLUENZA :

- *Spanish Flu*: 1918, 500,000 U.S. deaths; 40 million world-wide;
- *Asian Flu*: 1957, 70,000 U.S. deaths; 1-2 million world-wide;
- *Hong Kong Flu*: 1968, 34,000 U.S. deaths; 700,000 world-wide.

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H5N1:

Avian Influenza:

(Hong Kong 1997 – “A” virus)

- ❖ Widely circulated in bird populations in Asia, Africa, and Eastern Europe;
- ❖ Relatively small number of persons infected, and all cases are thought to have been through direct contact with birds;
- ❖ Current mortality rate about 50%;
- ❖ No evidence virus has evolved enough for human-to-human transmission;
- ❖ Two strains currently exist, only one of which is prevented by existing vaccine;
- ❖ Current vaccine is difficult to produce and requires 2-3 doses to provide maximum immunity;
- ❖ Antiviral *Tamiflu* has shown some effect in prevention and treatment;
- ❖ Two older antivirals were included in Chinese chicken feed and virus proved resistant.

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IMPACTS:

◆ Economic:

- ◆ Growth rate;
- ◆ Labor shortages;
- ◆ Structural dislocations (JIT);
- ◆ Loss of wages

◆ Shortages:

- ◆ Healthcare;
- ◆ Food;
- ◆ Medical supplies and pharmaceuticals.

◆ International:

- ◆ Government instability

◆ Workforce:

- ◆ Absenteeism

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Strategies and Response

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- **Global Concern**
- **National Strategy for Pandemic Flu**
- **Arizona's Plans**
- **Situation and Assumptions**
- **Declaration of Emergency**



Consideration for Arizona's Courts

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- **Court Strategy Goals**
- **Planning Horizon and Assumptions**
- **The Challenge for Arizona's Courts**

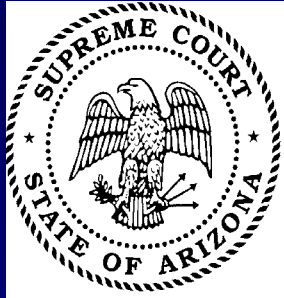


SARS Experience:

◆ Key Public Health Aspects:

- ◆ Toronto outbreak lasted 14 weeks (March-June, 2003);
- ◆ Originated in SE Asia, where it had been spreading for three months;
- ◆ Two seven-week phases, the second of which was triggered by asymptomatic “super-spreader”;
- ◆ 375 suspected cases;
- ◆ 40% of those infected were healthcare workers;
- ◆ 44 deaths.

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SARS Experience (Cont'd):

- ◆ **Controlled by “old fashioned” public health measures:**
 - ◇ Public information about hygiene;
 - ◇ Use of masks, gloves, gowns and other infection-control measures;
 - ◇ Isolation of diagnosed patients;
 - ◇ Quarantine of 30,000 exposed persons;
 - ◇ Closure of facilities where virus is present;
 - ◇ International travel advisories.
 - ◇ Work quarantine

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SARS Experience (Cont'd):

◆ Economic Impact on Toronto:

- ◆ 12,000 jobs lost;
- ◆ Nine major conventions cancelled;
- ◆ \$3 billion cost to local economy in 2003;
- ◆ Took two years for economic indicators to return to pre-SARS levels;

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SARS Experience (Cont'd):

◆ Lessons Learned:

- ◆ Fear is worse than the disease, and fear drives fear;
- ◆ Emergency unfolds in stages with short time windows in which to react;
- ◆ Leverage government credibility;
- ◆ Anticipate the “fog of war”;
- ◆ Rotate “fresh” emergency personnel into the crisis to maintain alertness and morale;
- ◆ Use “dark” websites to communicate;
- ◆ Aggressive use of quarantine can cause panic and lower compliance;

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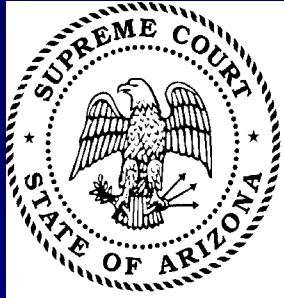


SARS Experience (Cont'd):

◆ Lessons Learned (Cont'd):

- ◆ Aggressive measures may be necessary to deal with health care workers unwilling to treat patients;
- ◆ Almost all persons voluntarily complied with the quarantine when it was explained. A written order was required in only 27 cases; 0 appeals, 1 filed and later withdrawn;
- ◆ Groups most likely to violate quarantine are:
 - ☹ Teenagers;
 - ☹ Health care workers
- ◆ Law Enforcement played a critical role:
 - * Enforce isolation in hospitals;
 - * Serve quarantine orders;
 - * Conduct spot checks for (non)compliance;
 - * Track down violators.

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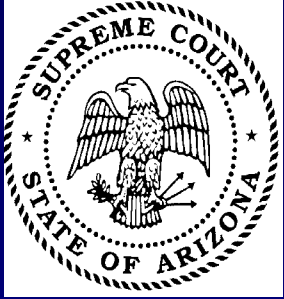


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SARS Experience (Cont'd):

◆ Lessons Learned (Cont'd):

- ◆ Securing large numbers of quarantine orders puts a strain on resources, agencies, legal community and courts;
- ◆ Courts need to review their emergency appeals processes prior to emergency;
- ◆ Quarantines resulted in the confinement of thousands of persons well enough to work, and who needed to work;
- ◆ No persons in transit into or out of Canada were ever isolated;
- ◆ Persons in quarantine were compensated and their jobs protected.



SARS Experience (Cont'd):

◆ International Concerns:

- ◆ Stockpiling:
 - ◆ food;
 - ◆ vaccines and antivirals;
 - ◆ raw materials.

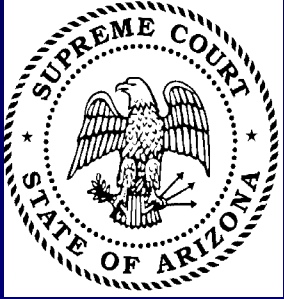
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Court Plan:

◆ Planning Considerations for the Court:

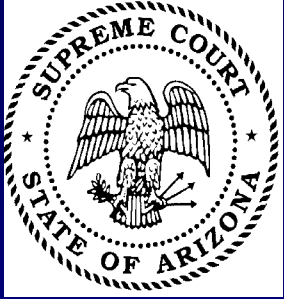
◆ Court Functions/Legal Considerations:

- ◆ Jury Trials
- ◆ Legal representation
- ◆ Probation
- ◆ Detention
- ◆ Public Health Legal Decisions

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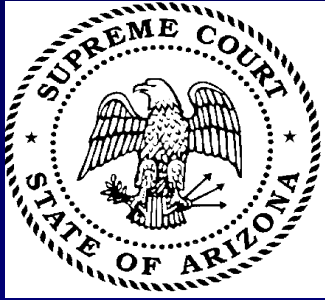
Court Plan (Continued):

◆ Planning Considerations (Continued):

◆ Personnel Policies:

- ◆ EAP Services and availability;
- ◆ Establish leave policies and practice that establishes liberal, non-punitive leave triggered by a pandemic:
 - ◆ Paid
 - ◆ Unpaid
 - ◆ Definition of sick leave
 - ◆ Combination of leaves
 - ◆ Catastrophic/special leave
 - ◆ FMLA
 - ◆ Donation of leave
 - ◆ Bereavement leave
 - ◆ Mandatory sick leave
 - ◆ Regular mandatory status reporting
 - ◆ Health screenings
 - ◆ Return to work
 - ◆ Send-home
 - ◆ Status reporting

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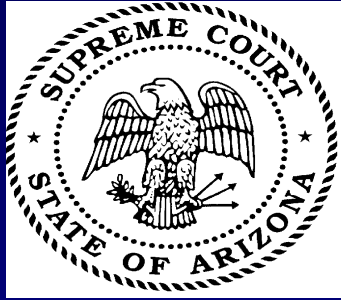
Court Plan (Continued):

◆ Planning Considerations (continued):

◆ Payroll and Finance:

- ◆ Modify payroll/compensation policies to ensure timely payment and, where appropriate and legal, assist employees to bridge any unintended pay gaps;
- ◆ Time reporting;
- ◆ FSLA;
- ◆ Special compensation:
 - ◆ special duty
 - ◆ overtime for exempt employees
- ◆ Full-time and part-time;
- ◆ Benefit thresholds;
- ◆ Payroll advances;
- ◆ Loans;
- ◆ Temporary housing assistance.

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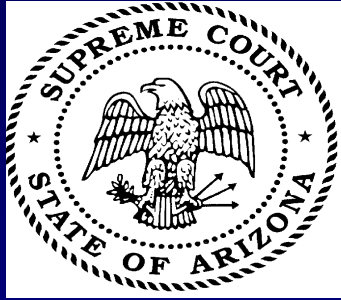
Court Plan (Continued):

◆ Planning Considerations (continued):

◆ Operations:

- ◆ Mandatory vaccinations
- ◆ Key employee staffing
- ◆ Business hours
- ◆ Alternate work locations
- ◆ Purchasing:
 - ◇ bid requirements
 - ◇ sole sourcing
 - ◇ contracting limits
- ◆ Equipment use policies
- ◆ Shelter-in-Place:
 - ◇ “Per diem” expenses

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Court Plan (Continued):

◆ Planning Considerations (continued):

◆ Operations (Continued):

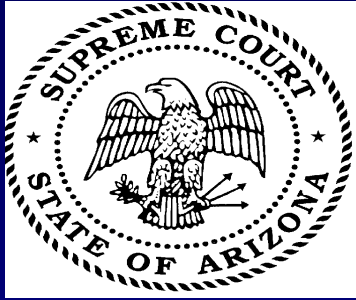
◆ Security and Workplace Safety:

- ◆ screening employees and customers
- ◆ employee send-home policy
- ◆ denial of customer service
- ◆ alternative service delivery

◆ Contact and Separation Policies:

- ◆ hygiene
- ◆ separation
- ◆ movement restriction
- ◆ cleaning and custodial requirements

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Court Plan (Continued):

◆ Planning Considerations (continued):

◆ Operations (continued):

◆ HVAC Operations:

◆ Supplies:

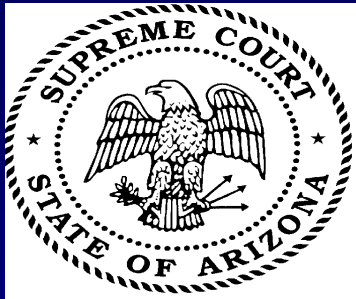
- ◆ masks
- ◆ gloves
- ◆ sanitizers and anti-bacterials
- ◆ tissues
- ◆ digital thermometers

◆ Travel Policies:

- ◆ restrictions
- ◆ quarantine periods
- ◆ transportation for employees

◆ Meetings

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Court Plan (Continued):

◆ Planning Considerations (continued):

◆ Operations (continued):

◆ Medical:

◆ Supplies:

- ◆ masks
- ◆ gloves
- ◆ sanitizers and anti-bacterials
- ◆ tissues
- ◆ digital thermometers

◆ Administrative:

- ◆ Authority/chain of command
- ◆ Approval authority

◆ Legal

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Actions

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- Benchbook is in process
- Opened topic at Administrative Conference
- Topic was included as item during Supreme Court Retreat
- Training for Staff:
 - ❖ Bench Book Conference
 - ❖ Public Health Systems Planning Conference