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Emergency Preparedness in the Legal Librarian Community in the United States – Current Culture and the Need to Expand Collaboration

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Emergency Preparedness in the Legal Librarian Community in the United States

Current Culture and the Need to Expand Collaboration

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The frequency of natural disasters hitting populated areas is increasing, and due to society's increased dependency on modern infrastructure, the impacts of disasters have also escalated. I interviewed librarians and law librarians that work or have worked in libraries that were impacted by natural disasters, as well as experts in the disaster management field. From their comments and insights, shared in this paper, it is clear that there are lessons that can be learned from the larger community in the area of disaster management in law libraries. The law librarian community needs to expand the scope of the national discussion to include disaster management. The key lessons obtained in these national forums, like those shared by the subject matter experts I interviewed, will enable law libraries to become a more resilient and an even more valuable asset to the communities we serve when a natural disaster strikes.

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I. INTRODUCTION

A. The Escalating Frequency and Impact of Natural Disasters on Society

One glimpse at the news reveals the terrifying and destructive nature of natural disasters; it seems there are more than ever before. Recent data from Federal Emergency Management Agency (“FEMA”) indicates the number of disaster that occur each year is on the rise.¹ Not only is the frequency increasing, but due to society's increased dependency on infrastructure, the impacts of disasters have escalated. In her recent book, *The Big Ones: How Natural Disasters Have Shaped Us (and What We Can do About Them)*, Dr. Lucy Jones writes: “[b]ecause of the increasing density and complexity of our cities, more people than ever before are at a greater risk of losing the systems that maintain life.”²

I have spoken to different librarians and law librarians around the country that work or have worked in libraries that were impacted by natural disasters. In this paper, I am sharing and reflecting on their experiences and insights. My objective is not to create a best practices list or say one library's method is better than another, though I do document many helpful resources as well as suggestions from these experienced librarians. Rather, I am sharing my findings to hopefully encourage our community of librarians and staff to talk to each other about disaster preparedness and relief in the same way we team up on all other challenges that libraries face. Procedures and tools for disaster preparedness that work well in certain libraries will not work in others for any number of reasons. One size does not fit all. What is important is not who is right or which idea is best, but for us to be thinking about what does and does not work in our specific location, and then communicating and sharing concerns and ideas so we all benefit from the accumulated experience, ideas, and knowledge.

¹ *What is Mitigation?*, FEMA (Feb. 13, 2018), <https://www.fema.gov/what-mitigation>.

² DR. LUCY JONES, *THE BIG ONES: HOW NATURAL DISASTERS HAVE SHAPED US (AND WHAT WE CAN DO ABOUT THEM)* 12 (2018).

My experience with disasters and disaster management is personal. I grew up in San Diego County, California, where large scale fires, evacuations, and earthquakes are just a part of life. This has made me very aware of natural disasters, the threats they pose, and the ways people can make natural disasters much more manageable.

While large storms and some fire events give early warning, earthquakes are totally unpredictable. Researchers at the University of Washington are testing an early warning system for large earthquakes that would give people in near proximity to the epicenter extra time to get somewhere safe, but this is still in the early stages.³ But whether one has early warning or not, when the disaster occurs, there is immediate chaos, and the resulting destruction can be quite extensive.

Dr. Lucy Jones writes in her book, “Cities are possible because of the complex engineering systems that support life.”⁴ After living and working in places with frequent displays of nature’s power, like Southern California, Tokyo, Oahu, and Seattle, I have become keenly aware of how quickly those systems can become overloaded and how life can come to a standstill even after a minor natural disaster. I have experienced firsthand how a 12-hour power outage in part of a large city or rolling "brown-outs" can be extremely disruptive to society.

I have seen the full range of approaches to disaster management at the different universities, libraries, private workplaces, and government organizations that I have been associated with, from a culture of regular drills and training to other places where even upper level management were unsure whether there was a disaster plan. Seeing that disturbing variety of coping techniques made it a priority to me to look into what kind of situation and culture exists in law libraries currently.

As a Law Librarianship student at the University of Washington, I joined the American Association of Law Libraries (“AALL”), the American Library Association (“ALA”), regional

³ *Early Warning System Tested against Chilean Great Quakes*, SEISMOLOGICAL SOCIETY OF AMERICA, Feb. 2018, <https://www.seismosoc.org/journals/early-warning-system-tested-chilean-great-quakes/>.

⁴ JONES, *supra* note 2, at 7.

groups, different listservs; I was overwhelmed by the collaborative efforts of this profession across many topics and subjects. Because of my personal experiences with disasters, I looked for the same kind of collaborative engagement on disaster management in law libraries, and libraries in general.

Many of the organizations, groups, and agencies I found provided thorough guides, lists of resources and vendors, and training on disaster issues for libraries. Most, however, were either focused on writing disaster plans, or reacting to specific problems after a disaster has occurred. Though the support they provide is critical, in my opinion it does not go far enough. Specifically, very few organizations or documents encourage positive engagement with issues of disaster management for libraries on a national level. In view of the increasing frequency and impact of natural disasters, I would argue that it is time to seriously consider expanded collaboration.

B. Defining “Disaster” in the Law Library Context

Disaster experts tell us that “natural hazards” are a natural part of the earth’s processes, and they are not considered disasters until “they occur within or near human construction that fails to withstand the sudden change they wreak.”⁵ Natural disasters can wreak havoc on our roads, bridges, and other parts of our built environment, as well as our families, legislatures, professional networks, and other social networks.⁶ Georgia Briscoe, Associate Director & Head of Technical Services at the William A. Wise Law Library at the University of Colorado Law School, defined disasters in a law library context as “anything that would disrupt our services, whether seriously or not.”⁷ Her definition points to an important characteristic of disasters in the library: it is not just the initial natural disaster, but the aftermath as well. Miriam Centeno, Collections Care Coordinator at the University of Illinois at Urbana-Champaign, agrees and further defines the stages of disaster

⁵ JONES, *supra* note 2, at 8.

⁶ JONES, *supra* note 2, at 114.

⁷ Written Interview with Georgia Briscoe, Associate Director & Head of Technical Services, William A. Wise Law Library, University of Colorado Law School (Feb. 9, 2018).

management for libraries as “planning (including preparation and training), response, recovery, and mitigation.”⁸

II. PROCESS USED FOR THIS PAPER

A. Literature Review

There exists extensive literature that addresses emergency preparedness in many areas of society. For example, the Internet is full of resources to help people and communities plan and prepare for disasters of all kinds. The United Nations has an Office for Disaster Risk Reduction that is dedicated to reducing the impacts disasters have on human lives around the world. Their website has lists of regional organizations and gives guidance on disaster risk reduction.⁹ The 100 Resilient Cities project “is dedicated to helping cities around the world become more resilient” against all kinds of stressors, not just natural disasters, and provides a number of resources for anyone interested in building resilience.¹⁰

Relative to libraries, there is also a great amount of information and practical tools available, many for free, to help create disaster plans for libraries and law libraries. For example, AALL has a number of resources to help law librarians create disaster plans. At the yearly conferences, AALL often offers workshops helping law librarians create a disaster plan. The 2017 presentation on the basics of creating a disaster plan is available on their website.¹¹

The AALL website also has a “Disaster Planning Toolkit.” In the November/December 2015 issue of the *AALL Spectrum*, the article “Faced with Crisis” strongly encouraged AALL

⁸ Telephone Interview with Miriam Centeno, Collections Care Coordinator, University of Illinois at Urbana-Champaign (Apr. 30, 2018).

⁹ *We inform*, UNISDR, <https://www.unisdr.org/we/inform>; *Who we work with*, UNISDR, <https://www.unisdr.org/partners>.

¹⁰ *About US*, 100 Resilient Cities, <http://www.100resilientcities.org/about-us/>; *Resources*, 100 Resilient Cities, <http://www.100resilientcities.org/resources/>.

¹¹ Rebecca Elder, *Elder Cultural Heritage Preservation, Disaster Planning in an Hour [E2]*, AALL (July 17, 2017), <https://www.aallnet.org/recording/disaster-planning-in-an-hour-e2/>.

members to incorporate civil unrest, cyber attacks, and active shooter scenarios when creating disaster plans.¹² While the authors of the article focused on what they call “crisis planning” and not planning for natural disasters, many of the authors’ tips can be applied in any kind of a disaster plan and echo some of what I learned from the librarians I talked to. More recently, the May/June 2018 issue of the *AALL Spectrum* included a very valuable article entitled, “Using Tech in Disaster Planning & Management” that explained how technology can help public law libraries, academic law libraries, and law firm libraries during and after a disaster.¹³

Specific groups within AALL provide members with written guidance on how to create disaster plans. For example, the Government Law Libraries Special Interest Section has a page on disaster planning that includes sample and template disaster plans, links to “how to” webinars on creating a disaster plan, and lists of other useful resources.¹⁴ The Technical Services Special Interest Section has a Preservation Committee that posts a “Preservation Tip of the Month.” These tips sometimes include advice on disaster planning and response.¹⁵

A number of books and articles have been written on disaster planning and preparedness which offer much valuable and practical advice.¹⁶ One great resource for understanding disasters and disaster management is *The Big Ones: How Natural Disasters Have Shaped Us (and What We Can do About Them)* by Dr. Lucy Jones, a book relating the history of how some of the largest natural disasters

¹² David D. Matchen, Jr. & Jason Hawkins, *Faced with Crisis*, AALL SPECTRUM, November/December 2015, 19-23.

¹³ Liz McCurry Johnson, Dolly Knight, & Maribel Nash, *Using Tech in Disaster Planning & Management*, AALL SPECTRUM, May/June 2018, 56-58.

¹⁴ *Disaster Planning*, AALL Sites: Government Law Libraries Special Interest Section (March 2016), <https://www.aallnet.org/gllsis/resources-publications/toolkit/disaster-planning/>.

¹⁵ *Preservation Committee*, AALL Sites: Technical Services Special Interest Section, <https://www.aallnet.org/tssis/about-us/committees/preservation-committee/>; *2017 Tips*, AALL Sites: Technical Services Special Interest Section, <https://www.aallnet.org/tssis/resources-publications/preservation-tips/2017-tips/>.

¹⁶ For lists of books and articles on disaster planning and response in cultural institutions see *Preservation: Disaster Preparedness & Response*, University of Washington University Libraries, Research Guides (Mar. 20, 2018), <http://guides.lib.uw.edu/c.php?g=342245&p=2305085>; *Disaster Planning*, AALL Sites: Government Law Libraries Special Interest Section, *supra* note 14.

impacted societies and how humanity responded in their wake.¹⁷ Patricia K. Turpening is a leader in the field of preservation in law libraries. Her 2002 article, “Survey of Preservation Efforts in Law Libraries,” is instrumental to understanding the history of preservation efforts more generally in law libraries.¹⁸ Over the years, the online journal LLRX has had articles and resource guides for creating disaster plans and in response to specific disaster situations.¹⁹ Written in 2011, “A Perspective on Preservation and Disaster Response Preparedness in Oregon Libraries,” provides a short, but revealing, discussion of preservation efforts seen as part of disaster planning in libraries.²⁰

Other national organizations and federal agencies offer disaster management guidance on their websites as well. The American Bar Association’s Committee on Disaster Response and Preparedness has a guide on disaster relief and planning for legal professionals, the courts, and even the public.²¹ The ALA has a general resource guide on disaster preparedness.²² The ALA’s Association for Library Collections & Technical Services (“ALCTS”) has disaster planning resources for librarians.²³ One of the most frequently recommended tools I came across is the Council of State Archivists’ Pocket Response Plan™ (“PREP”).²⁴ Small enough to fit into a wallet, the PREP has an

¹⁷ JONES, *supra* note 2.

¹⁸ Patricia K. Turpening, *Survey of Preservation Efforts in Law Libraries*, 94 LAW LIBR. J. 363 (2002).

¹⁹ Daniel R. Campbell, *Features - Introduction to Disaster Plans: Yes It Can Happen to You*, LLRX, Jan. 2002, <https://www.llrx.com/2002/01/features-introduction-to-disaster-plans-yes-it-can-happen-to-you/>; Robert Ambrogi, *Features - In the Wake of Katrina Where to Find Answers about Courts, Lawyers*, LLRX, Oct. 2005, <https://www.llrx.com/2005/10/features-in-the-wake-of-katrina-where-to-find-answers-about-courts-lawyers/>.

²⁰ Alex Toth & Kristen Kern, *A Perspective on Preservation and Disaster Response Preparedness in Oregon Libraries*, 17(4) OLA QUARTERLY 8 (Winter 2011).

²¹ *Resources*, ABA: Committee on Disaster Preparedness, <https://www.americanbar.org/groups/committees/disaster/resources.html>.

²² *Disaster Preparedness and Recovery*, ALA, <http://www.ala.org/advocacy/govinfo/disasterpreparedness>.

²³ *Disaster Preparedness and Planning*, ALA: ALCTS, <http://www.ala.org/alcts/confevents/upcoming/webinar/pres/051210disast>; *Preservation Webinars*, ALA: ALCTS, <http://www.ala.org/alcts/confevents/upcoming/webinar/pres>; *Disaster Preparedness Clearinghouse*, ALA: ALCTS, <http://www.ala.org/alcts/resources/preserv/disasterclear>.

²⁴ *Pocket Response Plan™ PREP™ Templates*, CoSA, <https://www.statearchivists.org/programs/emergency-preparedness/emergency-preparedness-resources/pocket-response-plantm-prep-tm-english-template/> (Recommended by Collections Care Coordinator Centeno, Telephone interview with Miriam Centeno, *supra* note 8; see also *Preservation: Disaster Preparedness & Response*, *supra* note 16.)

“Emergency Communication Directory” on one side, an “Emergency Response Checklist,” on the other, and is easily customized to fit an institution’s specific needs.²⁵

The Library of Congress has many resources for libraries of all kinds experiencing a disaster, from trying to get FEMA funding after a disaster, to updating their disaster plans, or creating one for the first time.²⁶ FEMA itself provides advice on disaster mitigation and preparation strategies on its website.²⁷ The National Archives has guides and toolkits on all kinds of disasters and emergencies in institutional archives, in cultural institutions, and for the general public.²⁸

Collections Care Coordinator Centeno drew my attention to the National Heritage Responders (“NHR”) and their hotline that is available 24/7.²⁹ The NHR “responds to the needs of cultural institutions during emergencies and disaster through coordinated efforts with first responders, state agencies, vendors and the public.”³⁰ The NHR offers training and resources for every stage of a disaster.³¹ It operates under the Foundation of the American Institute for Conservation of Historic and Artistic Works (“FAIC”).^{32,33} The FAIC has video tutorials, an

²⁵ *Pocket Response Plan™ PReP™ Templates*, *supra* note 24.

²⁶ *Emergency Management*, Library of Congress: Preservation, <http://www.loc.gov/preservation/emergprep/>; *References*, Library of Congress: Preservation, <http://www.loc.gov/preservation/emergprep/emerpubs.html>; *Additional Emergency Resources*, Library of Congress: Preservation, <http://www.loc.gov/preservation/emergprep/emerother.html>.

²⁷ *Welcome to National Preparedness*, FEMA: National Preparedness Directorate National Training and Education Division (March 23, 2017), <https://training.fema.gov>; *What is Mitigation?*, *supra* note 1; *Hazard Mitigation Assistance*, FEMA (March 26, 2018), <https://www.fema.gov/hazard-mitigation-assistance>; *Mitigation: Fact Sheets*, FEMA (Apr. 28, 2018), <https://www.fema.gov/mitigation-fact-sheets>.

²⁸ *Records Emergencies*, National Archives: Preservation (Jan. 12, 2018), <https://www.archives.gov/preservation/records-emergency>; *Records Emergency Toolkit*, National Archives: Preservation (Dec. 14, 2017), <https://www.archives.gov/preservation/records-emergency/toolkit.html>; *Disaster Response and Recovery*, National Archives: Preservation (Sep. 12, 2017), <https://www.archives.gov/preservation/disaster-response>.

²⁹ Telephone Interview with Miriam Centeno, *supra* note 8.

³⁰ *National Heritage Responders (NHR)*, FAIC: Heritage Emergency Programs, https://www.conservation-us.org/emergencies/national-heritage-responders#.WvZRfi_Mz6B.

³¹ *Emergencies*, FAIC: Heritage Emergency Programs, https://www.conservation-us.org/emergencies#.WvUCjC_Mwmo.

³² *National Heritage Responders (NHR)*, *supra* note 30.

³³ There is also an Heritage Emergency National Task Force, which used to be jointly sponsored by FEMA and Heritage Preservation before the latter became FAIC, and is now sponsored by FEMA and the Smithsonian Institution as a partnership of federal agencies and national service organizations. *Heritage Preservation*, FAIC: Our Foundation, [http://www.conservation-us.org/our-organizations/foundation-\(faic\)/initiatives/heritage-preservation#.WvT6fC_Mwmo](http://www.conservation-us.org/our-organizations/foundation-(faic)/initiatives/heritage-preservation#.WvT6fC_Mwmo); *Heritage Emergency National Task Force*, FEMA (Oct. 27, 2017),

emergency field guide, helpful forms, and even a mobile app to help cultural heritage institutions handle disasters to their collections.³⁴ Collections Care Coordinator Centeno told me that after Hurricanes Irma and Maria hit Puerto Rico, FEMA sent chartered planes with NHR and other heritage teams to do assessments and provide advice and support to the people on the ground there.³⁵

There exist resources that address specific geographies as well. The Smithsonian Institution Archives has a guide on disaster preparedness that includes links to regional sites for disaster response and recovery assistance.³⁶ Regional preservation groups such as the Northeast Document Conservation Center (“NEDCC”),³⁷ the Southeastern Library Network, and FAIC’s Conservation Online³⁸ are all very valuable resources for issues relating to their regions’ conservation and preservation, including disaster management. Of specific note is the NEDCC’s tool “dPlan.” This is a free, online, disaster plan template for civic and cultural institutions.³⁹

The State Heritage Emergency Partnership (“SHEP”) is another one of FAIC’s programs, which aims “to develop and strengthen relationships between and among state cultural and emergency management agencies to enable them to build disaster resilience in the cultural community.” SHEP’s website provides guides on regulations and webinars on emergency

<https://www.fema.gov/media-library/assets/documents/113297>; *Heritage Emergency National Task Force*, Smithsonian: Cultural Rescue Initiative, <https://culturalrescue.si.edu/hentf/>.

³⁴ *Field Guide to Emergency Response* Supplementary Resources, FAIC: Heritage Emergency Programs, http://www.conservation-us.org/fieldguide#.WvUCXy_Mwmo; *Emergency Response and Salvage Mobile App*, FAIC: Heritage Emergency Programs, https://www.conservation-us.org/emergencies/ers-app#.WvT-3y_Mwmo; *Emergency Response & Salvage Wheel*, FAIC: Store, <http://store.conservation-us.org/site/index.php?app=ecom&ns=prodshow&ref=FAIC-1>.

³⁵ Telephone Interview with Miriam Centeno, *supra* note 8.

³⁶ *Emergency Preparedness*, Smithsonian Institution Archives, <https://siarchives.si.edu/what-we-do/preservation/emergency-preparedness>.

³⁷ *24/7 Collections Emergency Phone Assistance*, NEDCC, <https://www.nedcc.org/free-resources/disaster-assistance/emergency-phone-assistance>.

³⁸ *Welcome to CoOL*, Conservation OnLine, <http://cool.conservation-us.org>.

³⁹ *dPlan: The Online Disaster-Planning Tool*, NEDCC, <https://www.nedcc.org/free-resources/dplan-the-online-disaster-planning-tool>; *Welcome to dPlan*, dPlan™, <http://www.dplan.org>.

management geared specifically for “cultural stewards” like libraries, archives and museums.⁴⁰ The Alliance for Response (“AFR”) is another program on the FAIC website, and is the local version of SHEP.

On the state level, for example, the Washington State Archives has created a list of resources, which includes templates and Washington specific information on disaster preparation and recovery.⁴¹ In the Seattle area, the Seattle Heritage Emergency Response Network (“SHERN”), “helps archives, historical societies, libraries, museums, and other heritage organizations in Seattle and King County to respond to disasters affecting cultural resources and collections.”⁴² SHERN is very active - its members meet every few months.⁴³ On its website, SHERN has links to disaster related resources, including a downloadable list of similar groups around the country.⁴⁴ The listed organizations vary by geographic size, with some covering entire states and others a city or county.⁴⁵ Additionally, local, county, and state emergency services agencies often have useful guides and resources.

What I have just documented are only some of the many resources that serve as great starting points for anyone, librarian or not, who might be interested in creating a disaster management plan or updating an existing one. As you will read, there are other tools available for disaster response and planning that the librarians I spoke to specifically recommended. But as I wrote earlier, my proposal is not about listing great resources. I believe the library community needs

⁴⁰ *About State Heritage Emergency Partnership*, FAIC: State Heritage Emergency Partnership, <http://www.heritageemergency.org/initiatives/state-heritage-emergency-partnerships/about-shep/>. (Frustratingly, their website has not been updated recently, and the listed Advisory Committee is served 2012-2015. They have had no forums since 2013, and the delegates at those forums represented only a handful that could have been involved.)

⁴¹ *Disaster Preparedness, Response & Recovery - Advice and Resources*, Secretary of State: Washington State Archives, <https://www.sos.wa.gov/archives/recordsmanagement/disasterpreparednessandrecovery.aspx>

⁴² *About/Joining SHERN*, SHERN, <https://shernseattle.wordpress.com/about-shern/>.

⁴³ *Past Meetings, 2018*, SHERN, <https://shernseattle.wordpress.com/about/past-meetings-2018/>; *Past Meetings, 2017*, SHERN, <https://shernseattle.wordpress.com/about/past-meetings-2017/>.

⁴⁴ *Resources*, SHERN, <https://shernseattle.wordpress.com/resources/>.

⁴⁵ *Cooperative Disaster Networks*, SHERN (Sep. 2015), <https://shernseattle.files.wordpress.com/2015/10/cooperativedisasternetworks9-2015.docx>.

to go to the next step by establishing a nationwide network or platform to expand the conversation and collaboration around disaster preparedness. Robust disaster management should not just involve writing a local disaster plan, but needs to include opportunities for the sharing of concerns, ideas, and best practices at the national level. Such discussion will both facilitate education across a broader base as well as lead to the development of new tools and techniques, fostering much more effective responses to disasters when they do occur.

B. Research Methods

There are limitations to only doing impersonal email questionnaires and other forms of written surveys.⁴⁶ Surveys and questionnaires can be excellent ways to gather large amounts of data to develop statistics and test hypotheses. But my objective was not to provide a scientific study supported by quantitative data. Instead what I wanted was to obtain the current state of disaster preparedness in the library community based on direct dialogue with library professionals who have had to manage in significant natural disasters. This moved my approach from written survey instruments to personal conversations. Live conversations allowed the librarians to give me the information *they* believed should be shared, and permitted them to describe in their words the advice they would give their colleagues. These librarians I spoke to have experienced all kinds of disasters, with different levels of impact to their libraries services and capabilities. I therefore chose to reach out primarily through telephone interviews, and ask them to describe in their words the advice they would give their colleagues, and for their ideas on how we could best continue the dialogue on a national level.

There has been a high level of interest and engagement among all librarians I spoke to concerning this project. For that I am very grateful to and would like to recognize all those librarians that helped me gather my resources and network to find the right people to interview, but were not

⁴⁶ Turpening, *supra* note 18, at 366.

themselves interviewed. I would particularly like to thank Stephanie Lamson, Director of Preservation Services at University of Washington Libraries, and her fabulous team for giving me so much of their time, answering my questions, and sending me a number of a very useful resources to help me get a broader picture of preservation and disaster planning in libraries. Closest to home, I give special heartfelt thanks to Director Jonathan Franklin, Director of the University of Washington's Law Librarianship Program Richard Jost, Librarian and Coordinator of Technical Services Ann Nez, Head of Circulation Alena Wolotira, Charlie Amiot, and Stephen Richards at the Gallagher Law Library. Finally, I must thank University of Texas at Austin Law Library Director Barbara Bintliff, well-known for helping librarians pursue academic writing and publication, for her advice and counsel.

Before I started interviewing librarians, I spoke to non-librarian attorneys with specific interest in disaster management. Captain Will Gribble, JAG Officer and Editor-in-Chief of the website Emergency Management Law,⁴⁷ spoke to me on the phone as well as via LinkedIn. He helped me start this project with a good foundational understanding of disaster vocabulary and drew my attention to commonly overlooked disaster issues and problems. Captain Gribble also put me in contact with Paul Martin, Regional Vice President - Southwest for the National Association of Mutual Insurance Companies.⁴⁸ He has written extensively on disasters, specifically encouraging a "culture of preparedness,"⁴⁹ and was kind enough to answer my questions via email about creating that kind of culture in libraries.⁵⁰

I interviewed librarians from around the country because I believe we can learn from each other's disaster experiences regardless of the kind of disaster. Everyone I interviewed was very

⁴⁷ *Recent Discussions*, Emergency Management Law, <http://emergencymanagementlaw.com>.

⁴⁸ *Paul Martin Regional Vice President – Southwest*, NAMIC, <https://www.namic.org/issue-experts/pmartin>.

⁴⁹ PAUL MARTIN, PIVOT POINTS: CREATING A CULTURE OF PREPAREDNESS AND RESILIENCY IN AMERICA (2015).

⁵⁰ Written Interview with Paul Martin, Regional Vice President - Southwest, National Association of Mutual Insurance Companies (Jan. 21, 2018).

generous with their time, took my questions seriously, and provided thoughtful answers. The collaborative strengths in this professional community should be clear as I list below who I interviewed. Their insights are then documented in the later sections.

Associate Director Georgia Briscoe at the William A. Wise Law Library at the University of Colorado at Boulder Law School was one of the first librarians I reached out to based on the recommendation of Director Barbara Bintliff at the University of Texas and Law Librarianship Program Director Jost. Associate Director Briscoe was a wealth of knowledge about disaster planning, recovery, and cooperation efforts across communities. She discussed their law library's emergency handbook, which included sections for everything from tornadoes and explosions to library maps and evacuation plan.

University of Washington Gallagher Law Library's Head of Circulation, Alena Wolotira, strongly recommended I speak to Amanda Watson, Director of the University of Houston Law Library. Almost simultaneously, Director Barbara Bintliff sent me the link to the program for the 2018 Southwestern Association of Law Libraries and Houston Area Law Libraries Joint Meeting ("SWALL/HALL")⁵¹ encouraging me to look up the law librarians presenting on natural disasters. One of the presentors happened to be Director Watson who spoke on "Disaster Recovery: Law Library Responses in Times of Crisis (Deep Dive, Part 2)."⁵² It is important to note that Director Watson has lived and worked through hurricanes at a number of law libraries including one in New Orleans during Hurricane Katrina and another in Houston during Hurricane Harvey.⁵³ Her work experience spans public and private law school libraries, as well as law firm libraries.

⁵¹ *SWALL/HALL 2018 Annual Meeting*, Harris County Law Library, <http://www.harriscountylawlibrary.org/swall2018#programs>.

⁵² *Disaster Recovery: Law Library Responses in Times of Crisis (Deep Dive, Part 2)*, Harris County Law Library, <http://www.harriscountylawlibrary.org/swall2018inretro/2018/4/5/disaster-recovery-law-library-responses-in-times-of-crisis-deep-dive-part-2?rq=disaster>.

⁵³ Telephone Interview with Amanda Watson, Director, University of Houston Law Library (Feb. 22, 2018).

I reached out to Director Watson’s co-presenter at SWALL/HALL,⁵⁴ Deputy Director Joe Lawson who works at the Harris County Law Library in Houston, Texas, and was working there during Hurricane Harvey in 2017. For context, that storm “carried more rain to the Houston, Texas, area than ever before seen in one storm.”⁵⁵ From his experience as the deputy director of a public law library, he had a number of practical pieces of advice to share.

Another presentation on the SWALL/HALL had the intriguing title: “Harvey, Irma, Maria...Oh Man, What Now? (Deep Dive, Part 1).”⁵⁶ One of the presenters, Special Collections Librarian and College Archivist Heather Kushnerick at the South Texas College of Law Library, talked to me about Hurricane Harvey, and other disasters, from the perspective of a private law school librarian.

I have referred to her before, but need to observe that as I had been reading articles and news stories online, I came across one person mentioned multiple times: Collections Care Coordinator Miriam Centeno.⁵⁷ Collections Care Coordinator Centeno works at the University of Illinois at Urbana Champaign, and spent time “on the ground” helping the library at the University of Puerto Rico at Mayaguez after the one-two punch the island received in 2017 from Hurricane’s Irma and Maria. These two storms were severe. Hurricane Irma “maintained extreme winds for longer than ever recorded,”⁵⁸ and Hurricane Maria hit the island about a week later. Dr. Lucy Jones wrote that because of these two storms, Puerto Rico suffered a loss of the basics of modern society for

⁵⁴ *Disaster Recovery: Law Library Responses in Times of Crisis (Deep Dive, Part 2)*, *supra* note 52.

⁵⁵ JONES, *supra* note 2, at 152.

⁵⁶ *Harvey, Irma, Maria. . . Oh Man, What Now? (Deep Dive, Part 1)*, Harris County Law Library, <http://www.harriscountylawlibrary.org/swall2018schedule/2018/4/5/harvey-irma-mariaoh-man-what-now-deep-dive-part-1-speaker-limited-availability-on-saturday>.

⁵⁷ Samantha Boyle, *University Librarian Helps Puerto Rico Preserve Books*, THE DAILY ILLINI, Jan. 2018, <https://dailyillini.com/news/2018/01/18/university-librarian-helps-puerto-rico-preserve-books/>; Loida Garcia-Febo, *Rebuilding Puerto Rican Libraries*, AMERICAN LIBRARIES MAGAZINE, Feb. 2018, <https://americanlibrariesmagazine.org/2018/02/01/rebuilding-puerto-rican-libraries/>.

⁵⁸ JONES, *supra* note 2, at 152.

much longer than many people would have thought possible in this modern era.”⁵⁹ Collections Care Coordinator Centeno shared with me the lessons libraries around the country should learn specifically from the “total failure of infrastructure” and vendor capacity that happened in Puerto Rico.⁶⁰

III. KEY FINDINGS - WHAT ARE THESE PROFESSIONALS TELLING US?

The following sections document the comments, insights, and recommendations from the above listed Subject Matter Experts (“SMEs”). These insights were obtained from personal interviews, either fact-to-face, via email, or over the phone.

A. Law Libraries' Special and Expanded Roles During Disasters

Many disaster planning, preparation, response, and recovery materials are broadly applicable to the circumstances faced by libraries, businesses, and even individual households. At the same time, libraries and other cultural institutions such as museums and archives have unique challenges not faced by many other groups. Our work with collections, made up of various media, sets us apart from businesses and other groups in situation, expertise, and roles.⁶¹ Law libraries, because of our role in the legal process, law school education, and public access to justice, have burdens and responsibilities other libraries do not.

Disasters create “a void of information.”⁶² Libraries naturally step in to fill that void, and law libraries are no exception. After Hurricane Harvey, Deputy Director Lawson stated that the Harris County Law Library worked closely with the local bar association and the public libraries to get as much useful information out as they could. Being between these two communities afforded the

⁵⁹ JONES, *supra* note 2, at 219.

⁶⁰ Telephone Interview with Miriam Centeno, *supra* note 8.

⁶¹ Telephone Interview with Miriam Centeno, *supra* note 8.

⁶² JONES, *supra* note 2, at 185.

Harris County Law Library a special opportunity to “fill the gap between the two information streams to get their messages to the people.”⁶³

Because of their very natures, different types of law libraries face different challenges in a disaster. Firm librarians may not have the option to close or halt services in a disaster. As Director Watson stated: “Some courts may be closed, but not all. Libraries still have to help the attorneys and clients that are now global.”⁶⁴ One academic law librarian reminded me that law students deal with so much stress already, stress that is only amplified if their homes or textbooks are affected by the disaster.⁶⁵

Law librarians can also help classes move forward as smoothly as possible, even if via video conferencing in their facilities.⁶⁶ Many times librarians found themselves calling and emailing vendors to obtain casebooks for students who had either lost theirs or who could not otherwise gain access to them.⁶⁷

Large disasters affect whole regions, and regional resilience is important. In events involving larger geographies, libraries, and public libraries in particular, need to plan for their additional roles as refuge (e.g., evacuation center) and resource after a disaster. It is the poorest and most vulnerable communities that usually suffer the most as “[t]hey live in more precarious housing and have fewer resources with which to respond” or with which to pay for an evacuation.⁶⁸

Many legal libraries, public or private, offer free clinics and other legal services for the public, giving them a special role in the community, especially after a disaster. Deputy Director

⁶³ Telephone Interview with Joe Lawson, Deputy Director, Harris County Law Library (Apr. 24, 2018); *Harvey Recovery Resources*, Harris County Law Library, <http://www.harriscountylawlibrary.org/harvey/>.

⁶⁴ Telephone Interview with Amanda Watson, *supra* note 53.

⁶⁵ Telephone Interview with Heather Kushnerick, Special Collections and Archivist, South Texas College of Law Library (Apr. 23, 2018).

⁶⁶ Johnson, *supra* note 13, at 58.

⁶⁷ Telephone Interview with Amanda Watson, *supra* note 53.

⁶⁸ JONES, *supra* note 2, at 68.

Lawson pointed me to the Self-Represented Litigants Network, whose website states, “As providers of legal information in their institutions, law libraries of all types play a fundamental role in fostering access to justice.”⁶⁹ South Texas College of Law has “clinics and pro se, and a lot of people are being served by the clinics, even as a private law school.”⁷⁰

After Hurricane Harvey, the South Texas College of Law Library helped many of their patrons with navigating FEMA’s processes.⁷¹ For example, a common question asked by patrons at the law library was, “If my apartment flooded do I have to keep paying rent?”⁷²

Regardless of the type of law library it is important to remember, “The people who use our services are here for a very specific reason - real issues with massive impacts on their lives. High stakes issues with underserved communities.”⁷³ Obviously, these issues and needs become more urgent during disasters.

Law libraries help their communities face the difficulties presented by disasters in other ways as well. Hurricane Harvey flooded the criminal courthouse in downtown Houston, which included the district attorney’s office and the public defender’s office.⁷⁴ The damage was so severe it remained closed months later.⁷⁵ In response to these extended closures, many defendants, attorneys with clients, and people with friends and family with upcoming court dates needed not only legal but physical and administrative assistance. The Harris County Law Library was able to help people know

⁶⁹ Telephone Interview with Joe Lawson, *supra* note 63.

⁷⁰ Telephone Interview with Heather Kushnerick, *supra* note 65.

⁷¹ Telephone Interview with Heather Kushnerick, *supra* note 65.

⁷² Telephone Interview with Joe Lawson, *supra* note 63.

⁷³ Telephone Interview with Heather Kushnerick, *supra* note 65.

⁷⁴ Cameron Langford, *Harvey Damage Sidelines Houston Courthouse for Months*, COURTHOUSE NEWS SERVICE, Sep. 2017, <https://www.courthousenews.com/harvey-damage-sidelines-houston-courthouse-months/>; Telephone Interview with Joe Lawson, *supra* note 63.

⁷⁵ Brian Rogers, *Hurricane Harvey Damage to Harris County Criminal Courthouse Under Review*, HOUSTON CHRONICLE, Jan. 2018, <https://www.houstonchronicle.com/news/houston-texas/houston/article/Hurricane-Harvey-damage-to-Harris-County-criminal-12476558.php>.

when their court dates were scheduled and where to go.⁷⁶ More than that, “a contingent of the attorneys from the Public Defender’s Office were able to get in the offices of the library,”⁷⁷ as their own offices were inaccessible, so they could quickly make it to their trials and have access to legal reference materials making the law library what they called their “bullpen.”⁷⁸

This leads to the final factor that differentiates law libraries from many other kinds of libraries and cultural institutions: a legal collection. Whether it is print or non-print collections, “even the earliest legal materials are still used today since they may contain ‘good law.’”⁷⁹ Legal materials can be very expensive to purchase, process, and store, and mostly likely will remain so.⁸⁰ As keepers of these historic, practical, and expensive collections, plans to address disasters, as well as other forms of damage and deterioration not focused on in this paper, should also be of paramount importance.

B. Learning from Others

Law librarians can and do learn from the experiences of other libraries that have had disasters. Associate Director Briscoe wrote, “experiences of libraries that have had disasters definitely influence how prepared we are and how well we plan.”⁸¹ Deputy Director Lawson said that before Harvey they had heard about libraries and communities dealing with problems with communication and unexpected road closures and they took that into account.⁸²

⁷⁶ Telephone Interview with Joe Lawson, *supra* note 63.

⁷⁷ Telephone Interview with Joe Lawson, *supra* note 63.

⁷⁸ Brian Rogers, *Prosecutors, Attorneys Cut 'Harvey Deals' in Jail Basement as Flood-Damaged Courthouse is Repaired*, HOUSTON CHRONICLE, Nov. 2017, <https://www.houstonchronicle.com/news/houston-texas/houston/article/Temporary-courtrooms-generate-Harvey-Deals-in-12348272.php>

⁷⁹ Turpening, *supra* note 18, at 364.

⁸⁰ Turpening, *supra* note 18, at 363, (She cites a 2001 study which found AALL member law libraries were spending “an estimated \$1.2 billion on legal information” not adjusted for inflation).

⁸¹ Written Interview with Georgia Briscoe, *supra* note 7.

⁸² Telephone Interview with Joe Lawson, *supra* note 63.

South Texas College of Law's Special Collections Librarian and Archivist Heather Kushnerick and Associate Dean and Professor of Law Catherine Greene Burnett gave a presentation on planning and responding to disasters in the library at the Southwestern Association of Law Libraries and Houston Area Law Libraries 2018 Annual Meeting.⁸³ When I asked Librarian Kushnerick if her presentation led to further discussion and engagement with attendees on issues of disasters and disaster planning, she said that it sparked very good conversations about disaster planning in general not just in libraries.⁸⁴

As discussed earlier, there are local and regional groups dedicated to disaster planning or focused more broadly on preservation in libraries and other cultural institutions. There can be many benefits from a larger scale dialogue on disasters. One reason this can be a worthwhile exercise is that we often face risks that do not seem obvious. When I spoke to her, Librarian Kushnerick warned, "There is no telling what kind of disasters you will have to face."⁸⁵ Disasters can trigger other disasters, earthquakes can cause landslides and large fires,⁸⁶ hurricanes can create fires⁸⁷ and even tornadoes.⁸⁸ It may be a surprise to know that California's most devastating natural disaster was a flood, not an earthquake or a fire.⁸⁹ Arizona and California may be the states that come to mind when we think of wildfires, however, it was Librarian Kushnerick who reminded me, "Things catch on fire, even in a hurricane," and librarians in places with no hurricane risk can still learn from

⁸³ *Harvey, Irma, Maria. . . Oh Man, What Now? (Deep Dive, Part 1)*, *supra* note 56.

⁸⁴ Telephone Interview with Heather Kushnerick, *supra* note 65.

⁸⁵ Telephone Interview with Heather Kushnerick, *supra* note 65.

⁸⁶ JONES, *supra* note 2, at 4-5.

⁸⁷ *Guidelines for Fire Service Operations*, Centers for Disease Control and Prevention - National Institute for Occupational Safety and Health Office of the Director, <https://www.cdc.gov/niosh/topics/emres/ff-flood.html>; *Harvey Updates: Fire and Smoke Again Engulf Chemical Plant Near Houston*, THE NEW YORK TIMES, Sep. 2017, <https://www.nytimes.com/2017/09/01/us/harvey-texas-flooding.html>; John Bacon & Amer Madhani, *Drinking Water Issues, Fire Intensify Harvey Crisis*, USA TODAY, Aug. 2017, <https://www.usatoday.com/story/news/nation/2017/08/31/weary-firefighters-begin-block-by-block-hunt-harvey-survivors/619603001/>.

⁸⁸ *Hurricane Preparedness - Hazards*, National Oceanic and Atmospheric Administration National Hurricane Center, <https://www.nhc.noaa.gov/prepare/hazards.php>.

⁸⁹ JONES, *supra* note 2, at 60.

librarians in hurricane prone areas because they still face flooding risks from things like broken pipes.⁹⁰

Collections Care Coordinator Centeno pointed out that the Incident Command System, the management system that is “the standard for emergency management across the country,” came out of fires in California.⁹¹ Recovery efforts after a disaster can yield valuable lessons that can be broadly applicable. When I asked Deputy Director Lawson whether law librarians could learn from the experiences of others even if their law library would never face that same kind of disaster, he pointed out, “the actual disaster may be very different, but the clean up will be the same.”⁹² Lessons learned about how to navigate FEMA’s processes, or how to handle road closures could always be constructive.⁹³

Finally, regardless of the past frequency of natural disasters, “our risk is growing.”⁹⁴ Climate change increases the likelihood and “contribut[es] to more extreme storms.”⁹⁵ Dr. Lucy Jones wrote, “Most cities have the potential for a Big One in their future”⁹⁶ This makes it more important than ever that we take natural disasters even more seriously. As Librarian Kushnerick told me, “You absolutely have to be prepared for anything.”⁹⁷ We need to learn from librarians that have encountered other kinds of disasters than we ourselves face.

⁹⁰ Telephone Interview with Heather Kushnerick, *supra* note 65.

⁹¹ Telephone Interview with Miriam Centeno, *supra* note 8; *Incident Command System (ICS)*, FEMA: Review Materials, <https://training.fema.gov/emiweb/is/icsresource/assets/reviewmaterials.pdf>.

⁹² Telephone Interview with Joe Lawson, *supra* note 63.

⁹³ Telephone Interview with Joe Lawson, *supra* note 63.

⁹⁴ JONES, *supra* note 2, at 12.

⁹⁵ JONES, *supra* note 2, at 75, 223.

⁹⁶ JONES, *supra* note 2, at 11.

⁹⁷ Telephone Interview with Heather Kushnerick, *supra* note 65.

IV. PUTTING IT TOGETHER - SYNTHESIS

I am excited to share with you now some of these kinds of lessons and insights that were provided in my discussions. I have organized my findings using the stages of disaster as Collections Care Coordinator Centeno laid them out for me: Planning, Response, Recovery, and Mitigation.⁹⁸

A. Planning⁹⁹

1. Creating a Disaster Plan

According to FEMA, “Planning makes it possible to manage the entire life cycle of a potential crisis.”¹⁰⁰ Librarian Kushnerick explained it is very important to have a plan “because not all people are part of creating the plan” but they will be part of the efforts during and after the disaster and will need access to the plan to guide their efforts.¹⁰¹ Given the importance of these disaster plans, what makes a plan a “good” one? The suggestions from the SMEs consulted can be categorized into the following five areas: 1. Easy to follow, 2. Includes Contact and Vendor Information, 3. Is in harmony with the parent institution and other key partners, 4. Is flexible and adaptable, 5. Is current and accessible.

i. A Good Plan is Easy to Follow

Disasters leave people in shock and confused.¹⁰² The National Archives warns, “despite systematic planning efforts, when emergencies do occur -- whether they are small scale or catastrophic -- they can be overwhelming.”¹⁰³ “After the shell shock wears off,” Librarian

⁹⁸ Telephone Interview with Miriam Centeno, *supra* note 8.

⁹⁹ This stage is listed as “Preparedness” and includes creating disaster planning on some guides. Collections Care Coordinator Centeno defined this stage as “Planning,” which includes preparation. As most current resources for libraries, cultural institutions more generally, focus on planning more than preparedness, labeling it “Planning” made the most logical sense for the purposes of this paper.

¹⁰⁰ *Plan*, FEMA (Feb. 5, 2018), <https://www.fema.gov/plan>.

¹⁰¹ Telephone Interview with Heather Kushnerick, *supra* note 65.

¹⁰² JONES, *supra* note 2, at 191.

¹⁰³ *Disaster Response and Recovery*, National Archives: Preservation, *supra* note 28.

Kushnerick told me, it is the disaster plan that “tells you exactly what to do”¹⁰⁴ in a simple and clear manner. It is critical to keep this in mind when writing a disaster plan. Librarian Kushnerick stressed this point, and reminded me, “Actual real people are going to have to read this and follow it.”¹⁰⁵ Associate Director Briscoe pointed out, “This isn't the place for theory or philosophy... just specific tasks for specific situations.”¹⁰⁶

The disaster plan is not the place for using abbreviations that no one recognizes or flowery language that hides the steps that have to be taken.¹⁰⁷ Librarian Kushnerick also advised, “Keep in mind the human element. You can have a really great plan, but they have to be able to make it work.”¹⁰⁸ Associate Director Briscoe wrote, “When we created our disaster flipchart and manual, I think it was most important to be brief but exact in what to do, who to phone, who is in charge.”¹⁰⁹ “We librarians are dedicated people,” Librarian Kushnerick reminded me, “we want to get to work and we want to help as soon as possible and as much as possible.” Disaster planning is all about common sense.¹¹⁰ An easily read and followed disaster plan will help your staff put the plan into action.

ii. A Good Plan Includes Contact and Vendor Information

Disaster plans should include lists of contact information. “Communication features heavily” in all parts of disaster planning and preparedness.¹¹¹ Director Watson told me she would highly recommend libraries and librarians keep laminated contact lists at home, in different places in the library, in a car, or wherever they may be needed.¹¹² From her experience Librarian Kushnerick said,

¹⁰⁴ Telephone Interview with Heather Kushnerick, *supra* note 65.

¹⁰⁵ Telephone Interview with Heather Kushnerick, *supra* note 65.

¹⁰⁶ Written Interview with Georgia Briscoe, *supra* note 7.

¹⁰⁷ Telephone Interview with Heather Kushnerick, *supra* note 65.

¹⁰⁸ Telephone Interview with Heather Kushnerick, *supra* note 65.

¹⁰⁹ Written Interview with Georgia Briscoe, *supra* note 7.

¹¹⁰ Telephone Interview with Miriam Centeno, *supra* note 8.

¹¹¹ Telephone Interview with Joe Lawson, *supra* note 63.

¹¹² Telephone Interview with Amanda Watson, *supra* note 53.

“it is very important to have those contact numbers.”¹¹³ She noted that during Hurricane Harvey the staff at the South Texas College of Law library continually updated each other on their situation - contact lists are essential to this communication.¹¹⁴ Collections Care Coordinator Centeno recommended including the contact information for other departments including the finance office, the facilities or building managers, and the members of the emergency response team.¹¹⁵

More than a list of names and numbers, the disaster plan should contain other vital information you may need quickly during a disaster. Librarian Kushnerick said she and her co-presenter at SWALL/HALL think the plan should have a list of everything that should be moved if you know a disaster is imminent, and how to find the tax exempt status certificates so you will have them after the disaster.¹¹⁶ Additionally, The disaster plan should also include the chain of command, listing both primary and back-up contacts for whom is responsible for what during a disaster, whom the point of contact is for the library, and any other key personnel/decision makers who would need to be involved.¹¹⁷

Librarian Kushnerick thought identifying the point of contact for the library, or between the library and the administration, is critical.¹¹⁸ She believes it is very important for the staff to know who they should be updating and will later make it easier to coordinate the reopening of the library.¹¹⁹ Planning for these kinds of practicalities makes the response and recovery processes easier, which is one of the reasons to have a disaster plan in the first place!

Along with staff contact information and responsibilities, vendor information is another thing to keep in the disaster plan, or some place else reliably accessible. Librarian Kushnerick

¹¹³ Telephone Interview with Heather Kushnerick, *supra* note 65.

¹¹⁴ Telephone Interview with Heather Kushnerick, *supra* note 65.

¹¹⁵ Telephone Interview with Miriam Centeno, *supra* note 8.

¹¹⁶ Telephone Interview with Heather Kushnerick, *supra* note 65.

¹¹⁷ Telephone Interview with Joe Lawson, *supra* note 63.

¹¹⁸ Telephone Interview with Heather Kushnerick, *supra* note 65.

¹¹⁹ Telephone Interview with Heather Kushnerick, *supra* note 65.

disclosed she kept a list of disaster recovery vendors with her, but recommended keeping the contact information of other vendors, like textbook vendors, handy as well.¹²⁰ Director Watson advised keeping the contact information not just for the library's regular contacts at each vendor, but for the people in those organizations with the power to get things done quickly for your library.¹²¹

iii. A Good Plan Harmonizes with Your Parent Institution and Other Partners

For librarians at academic institutions, Collections Care Coordinator Centeno suggested writing a disaster plan that is in agreement with your parent university. It is important to have “institutional buy in” for your disaster plan. This will be especially helpful for your disaster response teams so they will know what things they have the authority to do on their own and what they need approval for. She said mismatches in disaster plans and miscommunications between different parts of the institutions and disaster teams made everything move more slowly than it needed to in Puerto Rico after the hurricanes.¹²²

It is also important that the plan harmonizes with other experts in the area who may not be part of your organization, e.g., local first responders, police, fire, HAZMAT, etc.

iv. A Good Plan is Flexible

There is no such thing as the one perfect disaster plan. Disaster plans can take many forms: they can be large books, flip charts, electronic media, or combinations of several tools. The specific format and content should be one that suits your library best. Director Watson recounted the plans that have been the most useful to her include a list of issues and factors she needs to consider, not just the solutions.¹²³ Director Watson also noted the plan should be flexible in preparedness and

¹²⁰ Telephone Interview with Heather Kushnerick, *supra* note 65.

¹²¹ Telephone Interview with Amanda Watson, *supra* note 53.

¹²² Telephone Interview with Miriam Centeno, *supra* note 8.

¹²³ Telephone Interview with Amanda Watson, *supra* note 53.

adaptability, instead of relying solely on a formal disaster plan,. As she stated, in her experience “You can't have a plan for 9/11, you can't have a plan for Katrina.”¹²⁴

Mentioned earlier, the PReP is a popular supplement to the disaster plan that has contact information and emergency response tips and can be carried in a wallet.¹²⁵

A common method of disaster planning is called Continuity of Operations Planning (“COOP”), which focuses on “the continued performance of essential services during a wide range of potential emergencies.”¹²⁶ Collections Care Coordinator Centeno recommended COOP.¹²⁷ Deputy Director Lawson said the Harris County Law Library has one and so does every other department in the county because the county government requires it.¹²⁸

Collections Care Coordinator Centeno advised that the plan should be designed to be adaptable to whatever disaster situation that occurs.¹²⁹ Disasters can do strange and unexpected things, so alternate back up and contingency plans that work with your emergency plan was strongly recommended.¹³⁰

Deputy Director Lawson likes “modular planning,” which allows different parts of the plan to be triggered when specific conditions are met but still connect back to the primary disaster plan.¹³¹ Librarian Kushnerick insisted a good plan must flexible enough to be used even if most response efforts have to be done initially from a distance and/or even if the emergency response team is unable to come to work.¹³²

¹²⁴ Telephone Interview with Amanda Watson, *supra* note 53.

¹²⁵ *Pocket Response Plan™ PReP™ Templates*, *supra* note 24.

¹²⁶ *Continuity of Operations Planning*, Library of Congress: Preservation, <http://www.loc.gov/preservation/emergprep/plan/coop.html>.

¹²⁷ Telephone Interview with Miriam Centeno, *supra* note 8.

¹²⁸ Telephone Interview with Joe Lawson, *supra* note 63.

¹²⁹ Telephone Interview with Miriam Centeno, *supra* note 8.

¹³⁰ Telephone Interview with Heather Kushnerick, *supra* note 65.

¹³¹ Telephone Interview with Joe Lawson, *supra* note 63.

¹³² Telephone Interview with Heather Kushnerick, *supra* note 65.

Your disaster plan will never be completely exhaustive, but it should be applicable to damage to different parts of your collection.¹³³ Librarian Kushnerick said, “we have to protect our information in whatever medium it’s in or format it’s in.”¹³⁴ Deputy Director Lawson believes that damage prevention, mitigation and recovery has to be handled “case by case,” but it could include a list of which collections need to be moved if a flood is expected.¹³⁵

v. A Good Plan is Kept Updated and is Easily Accessible

It may be tempting to treat writing and updating a disaster plan as a nuisance or a dry and boring chore to be quickly gotten through and forgotten. However, an outdated disaster plan or one not easily accessible will actually add more confusion to the already existing chaos. Associate Director Briscoe told me the University of Colorado regularly updates their emergency flip chart and takes disaster planning “very seriously.”¹³⁶ She wrote, “At the very least, I have our administrative assistant call the phone numbers to verify they are correct.”¹³⁷

Once you have a finished or updated disaster plan, Librarian Kushnerick told me, “just make sure everyone knows where it is.”¹³⁸ Collections Care Coordinator Centeno recommended having multiple copies of the plan, on and off site, in case you cannot get to the library.¹³⁹ Posting the plan on the library's website would also be beneficial.

¹³³ To supplement your disaster plan, many of the librarians I interviewed and consulted for this paper recommended the FAIC’s Emergency Response and Salvage Wheel and corresponding mobile app as an effective quick reference guide for responding to damage to collection. *Emergency Response & Salvage Wheel*, *supra* note 34; *Emergency Response and Salvage Mobile App*, *supra* note 34.

¹³⁴ Telephone Interview with Heather Kushnerick, *supra* note 65.

¹³⁵ Telephone Interview with Joe Lawson, *supra* note 63.

¹³⁶ Written Interview with Georgia Briscoe, *supra* note 7.

¹³⁷ Written Interview with Georgia Briscoe, *supra* note 7.

¹³⁸ Telephone Interview with Heather Kushnerick, *supra* note 65.

¹³⁹ Telephone Interview with Miriam Centeno, *supra* note 8.

2. Beyond the Plan - Readiness for immediate activation

Most would agree having a disaster plan is important,¹⁴⁰ with some calling it “an essential part of the operation of a library.”¹⁴¹ However, beyond having a disaster plan, everything needs to be ready for immediate activation. This initial stage of disaster management includes: “contracting for disaster services, conducting emergency exercises, knowing what to do in an emergency, [and] keeping up with new information and available resources.”¹⁴² For example, Deputy Director Lawson noted it is wise to have the “basic necessities like keeping food on hand” in the library.¹⁴³ Regional Vice President Martin revealed a key to preparedness is to keep “supplies on hand to deal with smaller disasters . . . to start dealing with the problem immediately.”¹⁴⁴

Dr. Lucy Jones warns against complacency in her book, “Don’t assume the government has you covered.”¹⁴⁵ Collections Care Coordinator Centeno recommended having a “Rainy Day Fund” already in place to cover smaller disaster efforts or to help pay for things while waiting for financial assistance.¹⁴⁶ Director Watson suggesting knowing who is responsible for the institution’s “emergency funds” along with directions on how the library can access the funds quickly while responding to a disaster.¹⁴⁷

Whether you are creating your plan, setting up trainings, or looking for disaster preparation resources, many of the librarians I spoke to suggested making local connections before any event. Collections Care Coordinator Centeno encouraged librarians to build capacity locally.¹⁴⁸ Associate

¹⁴⁰ Even in 2002, law librarians considered writing disaster plans as of “very high” importance. Turpening, *supra* note 18, at 369.

¹⁴¹ Lawrence Landis as quoted in Toth, *supra* note 20, at 9.

¹⁴² *Emergency Management*, Library of Congress: Preservation, *supra* note 26.

¹⁴³ Telephone Interview with Joe Lawson, *supra* note 63.

¹⁴⁴ Written Interview with Paul Martin, *supra* note 50.

¹⁴⁵ JONES, *supra* note 2, at 221.

¹⁴⁶ Telephone Interview with Miriam Centeno, *supra* note 8.

¹⁴⁷ Telephone Interview with Amanda Watson, *supra* note 53.

¹⁴⁸ Telephone Interview with Miriam Centeno, *supra* note 8.

Director Briscoe told me that when she was finished with the disaster plan, she had the “campus police risk management officer” review and approve it.¹⁴⁹ If you are at an academic law library, Collections Care Coordinator Centeno suggested, “See the resources you have within your own campus. Wherever you have people in connection with science, engineering, or architecture - this is like field medicine.”¹⁵⁰ She also said that at the University of Illinois at Urbana-Champaign, the library partners with the other academic departments and takes advantage of their expertise when doing some of their bigger or more complicated disaster training exercises.¹⁵¹

Having an effective plan in readiness includes other kinds of preparation for people with specific responsibilities and drills for the staff. One disaster response organization in Oregon “recognized training as a critical need in order to provide disaster preparedness knowledge for [Portland Area Library System] members and initiate disaster response planning.”¹⁵² “At least once per year,” Associate Director Briscoe explained, “I remind everyone of our procedures for evacuating the library, who is in charge of which floors, and what to do for tornados.”¹⁵³ She often does this in a staff meeting around the time of year they get tornados.¹⁵⁴ Preparing for disasters by educating people and having drills can save lives.¹⁵⁵ Associate Director Briscoe revealed, “our administrative assistant and I keep our ‘Heartsaver First Aid with CPR and AED’ current,” and makes sure the training is available to other library employees as well.¹⁵⁶ Regional Vice President Martin stressed these kinds of trainings because they improve readiness and increase staff

¹⁴⁹ Written Interview with Georgia Briscoe, *supra* note 7.

¹⁵⁰ Telephone Interview with Miriam Centeno, *supra* note 8.

¹⁵¹ Telephone Interview with Miriam Centeno, *supra* note 8.

¹⁵² Toth, *supra* note 20, at 9.

¹⁵³ Written Interview with Georgia Briscoe, *supra* note 7.

¹⁵⁴ Written Interview with Georgia Briscoe, *supra* note 7.

¹⁵⁵ JONES, *supra* note 2, at 126, 128, 191 (*see also*, ignorance of how to react to a disaster or a lack of training can create more chaos, JONES, *supra* note 2, at 196)

¹⁵⁶ Written Interview with Georgia Briscoe, *supra* note 7.

engagement in preparation efforts in general.¹⁵⁷ Associate Director Briscoe told me the “last time the training was offered, 3 other library employees also took the training.”¹⁵⁸

Readiness for a disaster does not require omniscience, but it does mean having your plan's data current and resources already in place so that you and your staff will be able to respond more quickly to a disaster. Having a plan, keeping it up to date, holding trainings and drills, and continually thinking about new solutions and finding new resources, as these librarians all recommended above, “increases personal safety and can help avoid catastrophic loss of collections by enabling a response that is timely, calm, and effective.”¹⁵⁹ According to the Library of Congress, a well-prepared staff can take a well-written plan and know what to do through the aftermath.¹⁶⁰

B. Response & Recovery

Disaster management not only involves creating a good plan, going through CPR training, staging resources etc. When a disaster occurs the organization moves into immediate implementation of Response and Recovery.

Response and recovery are so intertwined it would be impractical for me to talk about them separately. The Smithsonian Institution Archives defines response as what “happens as soon as an emergency occurs.”¹⁶¹ A response is complete when “collections have been stabilized and all active threats . . . have been eliminated.”¹⁶² Recovery, on the other hand, includes the efforts used to address the damage done to the collection.¹⁶³ According to the Library of Congress, “an informed, calm, and timely response maximizes recovery by focusing first on stabilizing collections.”¹⁶⁴

¹⁵⁷ Written Interview with Paul Martin, *supra* note 50.

¹⁵⁸ Written Interview with Georgia Briscoe, *supra* note 7.

¹⁵⁹ *Emergency Management*, Library of Congress: Preservation, *supra* note 26.

¹⁶⁰ *Emergency Management*, Library of Congress: Preservation, *supra* note 26.

¹⁶¹ *Emergency Preparedness*, Smithsonian Institution Archives, *supra* note 36.

¹⁶² *Response and Recovery*, Library of Congress: Preservation, <http://www.loc.gov/preservation/emergprep/recovery.html>.

¹⁶³ *Id.*

¹⁶⁴ *Emergency Management*, Library of Congress: Preservation, *supra* note 26.

Depending on the size of the disaster and the type of damage, Recovery efforts can begin right away, or may not start for a long time.¹⁶⁵ For example, Director Watson told me there were concerns about hazards in the library building directly after Hurricane Harvey that delayed when they were allowed to go in.¹⁶⁶ The problem may not be dangerous conditions within the building, but in the surrounding area. Librarian Kushnerick explained the flooding in the Houston area was so extensive that even though her library was not severely impacted, she could not get out of her own neighborhood to get to the her library.¹⁶⁷

Generally, the longer the delay between disaster and the beginning of the recovery efforts, the worse the overall damage will be. The Smithsonian Institution Archives urges, “every effort should be made to keep this delay to a minimum.”¹⁶⁸ They warn the effectiveness of recovery efforts will be significantly diminished “if salvage is delayed longer than 48 hours.”¹⁶⁹ Regional Vice President Martin echoes this: “books will deteriorate if not remediated quickly.”¹⁷⁰

1. Communication is Key

Just as communication was a vital priority for the Planning stage, it is also essential during Response and Recovery.¹⁷¹ Librarian Kushnerick agreed, “Communication all around is vital.”¹⁷² Coming from the academic law librarian perspective she stressed continual communication with staff, students, vendors, and the school’s administration, “so the students’ needs are being met to the best of your ability.”¹⁷³ Public law libraries are no different in this regard. Deputy Director Lawson

¹⁶⁵ *Emergency Preparedness*, Smithsonian Institution Archives, *supra* note 36.

¹⁶⁶ Telephone Interview with Amanda Watson, *supra* note 53.

¹⁶⁷ Telephone Interview with Heather Kushnerick, *supra* note 65.

¹⁶⁸ *Emergency Preparedness*, Smithsonian Institution Archives, *supra* note 36.

¹⁶⁹ *Id.*

¹⁷⁰ Written Interview with Paul Martin, *supra* note 50.

¹⁷¹ Telephone Interview with Joe Lawson, *supra* note 63; Telephone Interview with Miriam Centeno, *supra* note 8.

¹⁷² Telephone Interview with Heather Kushnerick, *supra* note 65.

¹⁷³ Telephone Interview with Heather Kushnerick, *supra* note 65.

emphasized his need to communicate with his staff and patrons via the library's website, social media accounts, or telephone.¹⁷⁴

Regardless of the type of library, Director Watson recommends knowing the passwords into the library's accounts so even if you cannot make it to the office "you can alert people, change the website to say you are closed."¹⁷⁵ Of course there are security issues involved with sharing and having a physical list of your passwords, but those in leadership need to have access to this information. Additionally, she mentioned updating the website to tell patrons how to get help while the library is closed.¹⁷⁶ The first sections of the Harris County Law Library's disaster plan are "phone trees," maps of who to call and when.¹⁷⁷

However, contact lists are only as good as the supporting infrastructure, and disasters can take our technology off line. Deputy Director Lawson reminded me that those lists are only useful as long as the phones are working, and we do not get to plan when things will "go haywire."¹⁷⁸ They often do so at the moments we need them the most. "We are so dependent on cell phone technologies which are so fragile," Collections Care Coordinator Centeno opined.¹⁷⁹

In a large disaster, it is easy for the networks to become overloaded, or even physically damaged, so that nothing can be transmitted.¹⁸⁰ After Hurricane Katrina, failures of communication plagued all levels of government, including between disaster teams.¹⁸¹ In the private sector, outages and overloaded networks made it nearly impossible to communicate. Director Watson told me stories about trying to use multiple cellular networks to try to get messages through.¹⁸²

¹⁷⁴ Telephone Interview with Joe Lawson, *supra* note 63.

¹⁷⁵ Telephone Interview with Amanda Watson, *supra* note 53.

¹⁷⁶ Telephone Interview with Amanda Watson, *supra* note 53.

¹⁷⁷ Telephone Interview with Joe Lawson, *supra* note 63.

¹⁷⁸ Telephone Interview with Joe Lawson, *supra* note 63.

¹⁷⁹ Telephone Interview with Miriam Centeno, *supra* note 8.

¹⁸⁰ Telephone Interview with Miriam Centeno, *supra* note 8.

¹⁸¹ JONES, *supra* note 2, at 162.

¹⁸² Telephone Interview with Amanda Watson, *supra* note 53.

In a disaster there needs to be alternate ways to communicate. Collections Care Coordinator Centeno related some of the ways people were communicating in Puerto Rico.¹⁸³ Based on her experiences, she recommends having “alternative old fashioned modes of communication”¹⁸⁴ She was not talking about carrier pigeons, but such as having a predetermined meeting place for the staff and using technologies that are more likely to survive a disaster such as CB radios, walkie-talkies, and low bandwidth phones.¹⁸⁵ Something that should not be overlooked is the legacy wireline phone network provided by the local phone company. These networks are engineered and built with many redundancies which are designed to withstand significant natural disasters.

As we become ever more dependent on communication technologies like cellphones and the Internet,¹⁸⁶ disaster preparedness must make allowances for the “old school” communication technologies that may have to be relied on during the disaster response and recovery.

Deputy Director Lawson acknowledged that the while patrons of a law library, especially a public library, should be your primary focus, he added it is crucial for administrators to make sure the staff’s needs are met.¹⁸⁷ As the director of the University of Houston Law Library, Director Watson related that she was often called on to address “people problems,” including the basic question of knowing where her people were during and after the disaster.¹⁸⁸ Deputy Director Lawson warned that you need to pay attention to the needs of your staff, so when your library *can* reopen there will be people available to run it.¹⁸⁹ Collections Care Coordinator Centeno encouraged the use of group emails or group texts to keep up to date.¹⁹⁰

¹⁸³ Telephone Interview with Miriam Centeno, *supra* note 8.

¹⁸⁴ Telephone Interview with Miriam Centeno, *supra* note 8.

¹⁸⁵ Telephone Interview with Miriam Centeno, *supra* note 8.

¹⁸⁶ JONES, *supra* note 2, at 223.

¹⁸⁷ Telephone Interview with Joe Lawson, *supra* note 63.

¹⁸⁸ Telephone Interview with Amanda Watson, *supra* note 53.

¹⁸⁹ Telephone Interview with Joe Lawson, *supra* note 63.

¹⁹⁰ Telephone Interview with Miriam Centeno, *supra* note 8.

There are many options to choose from, and Director Watson had a number of very creative suggestions including using an intranet, reporting to the designated contact for the library to provide or obtain status of yourself or another staff member, having a special email address in case of emergencies, and using collaborative document editing tools like Google Docs.¹⁹¹

Both from my discussions and my direct experience working in the library, it became evident that librarians are a “tight knit” community, full of people who want to help.¹⁹² People outside your library, including other librarians and law librarians will reach out offering assistance.¹⁹³ At the same time it is sometimes the best policy to hold off on accepting outside assistance, at least initially. When Collections Care Coordinator Centeno was not able to make it to Puerto Rico right after Irma and Maria, it frustrated her because “no one knew where to go or how to help.”¹⁹⁴ After she got there, she realized had she been there any earlier she “would have been a hindrance and not a help.”¹⁹⁵

2. Be Flexible and Adaptable¹⁹⁶

As I noted before, strange and unexpected things are the norm in a natural disaster, so being flexible and adaptable during the Response and Recovery phase is critical. Earlier I mentioned what Librarian Kushnerick told me about fires during hurricanes, but that is only the tip of the proverbial iceberg. Director Watson cautioned, “You may think you have it all figured out, and maybe you do, but that may not be your problem.”¹⁹⁷ Deputy Director Lawson put it another way, “If you plan for a flood, and you don’t get a flood, it doesn’t mean you’re out of the water.”¹⁹⁸ Director Watson

¹⁹¹ Telephone Interview with Amanda Watson, *supra* note 53.

¹⁹² Telephone Interview with Heather Kushnerick, *supra* note 65.

¹⁹³ Telephone Interview with Amanda Watson, *supra* note 53; Telephone Interview with Heather Kushnerick, *supra* note 65.

¹⁹⁴ Telephone Interview with Miriam Centeno, *supra* note 8.

¹⁹⁵ Telephone Interview with Miriam Centeno, *supra* note 8.

¹⁹⁶ Telephone Interview with Joe Lawson, *supra* note 63.

¹⁹⁷ Telephone Interview with Amanda Watson, *supra* note 53.

¹⁹⁸ Telephone Interview with Joe Lawson, *supra* note 63.

stressed the necessity of flexibility in response and in planning, “you can plan all day, but there is no plan, that’s why it’s a disaster.”¹⁹⁹ This is why Collections Care Coordinator Centeno encouraged all planning and preparation for disasters to be done with flexibility in mind.²⁰⁰ Your disaster plan is not going to cover every possible scenario, so the staff will have to be agile and be able to adapt in the moment. Deputy Director Lawson likewise stressed the necessity of adaptability in Response and Recovery: “you have to take the situation as it comes.”²⁰¹ Even with a well-made plan, disasters can require you to do things in a different order than you planned.²⁰²

3. Be Part of the Larger Recovery Picture

Once a disaster becomes imminent, it is not uncommon for an executive level committee to be activated whose function it is to oversee all disaster response and recovery efforts. Leadership from the libraries must have a seat on this committee. For academic law librarians, and those in management in particular, Director Watson shared this piece of advice: “demand that you be in the room.”²⁰³ Both Librarian Kushnerick and Collections Care Coordinator Centeno agreed with Director Watson.²⁰⁴ Director Watson insisted it was especially crucial to get into those early meetings to be part of the conversation.²⁰⁵ Librarians will understand the pressures on the collection and the unique expectations their patrons have that other organizations will not be aware of, and it is important those needs are represented. As Librarian Kushnerick pointed out, for students “the library as a space for students is just as valuable as the library as a resource.”²⁰⁶

¹⁹⁹ Telephone Interview with Amanda Watson, *supra* note 53.

²⁰⁰ Telephone Interview with Miriam Centeno, *supra* note 8.

²⁰¹ Telephone Interview with Joe Lawson, *supra* note 63.

²⁰² Telephone Interview with Joe Lawson, *supra* note 63.

²⁰³ Telephone Interview with Amanda Watson, *supra* note 53.

²⁰⁴ Telephone Interview with Heather Kushnerick, *supra* note 65; Telephone Interview with Miriam Centeno, *supra* note 8.

²⁰⁵ Telephone Interview with Amanda Watson, *supra* note 53.

²⁰⁶ Telephone Interview with Heather Kushnerick, *supra* note 65.

Though things are somewhat different in public law libraries, the principle of "being in the room" is still valid. When I asked Deputy Director Lawson about Director Watson's advice about being in the room, he explained that it is not as straightforward as being a part of a university committee.²⁰⁷ Even who has the authority over what aspects of recovery can be complicated as different elected officials have "different jurisdictional spheres."²⁰⁸ Instead, he suggested public law librarians work to build a "good relationship with your most direct elected official *before* the disaster."²⁰⁹

Regardless of local structure, being part of the executive response committee will insure that the critical needs of the library are included in the overall allocation of resources and activities.

C. Mitigation

The mitigation phase, according to FEMA, includes "any action taken to reduce or eliminate long term risk to people and property from natural disasters."²¹⁰ From her research, Dr. Lucy Jones writes, "The best investment in a resilient community is to identify such weaknesses and repair them--before the event," because this kind of preemptive action "improves lives for everyone during disasters and in between them."²¹¹

At first glance, mitigation and planning may seem the same. Much of the preparation discussed in the Planning section can be considered mitigation measures. The ALA sees them as two sides of the same coin, because effective planning for any size or type of disaster can help mitigate the damage done to the library's collection.²¹² I have tried to split actions and drills necessary to follow the disaster plan as preparation under "Planning," whereas "Mitigation" includes the

²⁰⁷ Telephone Interview with Joe Lawson, *supra* note 63.

²⁰⁸ Telephone Interview with Joe Lawson, *supra* note 63.

²⁰⁹ Telephone Interview with Joe Lawson, *supra* note 63.

²¹⁰ *Hazard Mitigation Assistance*, FEMA, *supra* note 27.

²¹¹ JONES, *supra* note 2, at 115.

²¹² *Disaster Preparedness and Recovery*, ALA, *supra* note 22.

additional steps that *should* be taken to fix vulnerabilities that may have been found during the planning process as well as those that occurred during the disaster. Regardless of how you split up the stages of disaster management, the need for mitigation remains.

Collections Care Coordinator Centeno repeatedly stressed the importance of building a local support network.²¹³ The mitigation benefits of that can be seen in the following example. The University of Colorado Boulder and Colorado State University in Fort Collins (“CSU”), “are situated in the ‘Front Range’ on the eastern edge of the Rocky Mountains, where the peaks meet the plains, we are very susceptible to floods.”²¹⁴ Associate Director Briscoe told me about a major flood that impacted CSU’s libraries in 1997, and how she met the preservation librarians at CSU because of that flood. Ten years later, the region was hit with a “500 year flood.”²¹⁵ “Because of the precautions taken from the 1997 flood,” she explained, “the libraries fared much better.”²¹⁶ Her library, the William A. Wise Law Library at the University of Colorado, had a new building and “no problems” from the flood.²¹⁷

Law libraries often have unique, very valuable, one-of-a-kind historical documents or other irreplaceable items in their collections. Special consideration should be made to protect and preserve these *before* a disaster occurs. Director Watson suggested librarians think about where their rare items are and take proactive mitigation actions to insure they would survive a disaster. She explained, “Insurance will help you replace a lot, but what about the irreplaceable things?”²¹⁸

Some libraries keep them in controlled access special collections rooms, but Director Watson recommended thinking about using a fire-proof safe to hold those items.²¹⁹ Deputy Director

²¹³ Telephone Interview with Miriam Centeno, *supra* note 8.

²¹⁴ Written Interview with Georgia Briscoe, *supra* note 7.

²¹⁵ Written Interview with Georgia Briscoe, *supra* note 7.

²¹⁶ Written Interview with Georgia Briscoe, *supra* note 7.

²¹⁷ Written Interview with Georgia Briscoe, *supra* note 7.

²¹⁸ Telephone Interview with Amanda Watson, *supra* note 53.

²¹⁹ Telephone Interview with Amanda Watson, *supra* note 53.

Lawson told me the Harris County Public Law Library is looking into fire safes as well as other options such as fire extinguishers that do not use water.²²⁰ Collections Care Coordinator Centeno recommended using the Preservation Self-Assessment Program developed by the University of Illinois Libraries, which “produces reports on the factors that impact the health of cultural heritage materials, and defines the points from which to begin care.”²²¹

Law library collections and services are not limited to physical books or in-person services. Many of their resources and services exist online. Just because something is on a server does not mean it is safe during a disaster. Director Watson stressed that the digital side of the law library must also be built with disasters in mind. She told me to “back it up, and back it up in *safe* places.”²²² Librarian Kushnerick completely agreed. She mentioned servers specifically: “the servers need to be in a nice happy place -- if there is a problem, they can be fixed remotely.”²²³ Additionally, Librarian Kushnerick told me she and her co-presenter told people at SWALL/HALL to keep their libraries’ data backups up to date.²²⁴

Director Watson suggested looking into external vendors to keep the data offsite, ideally in a different region as the library so the same disasters will not affect them.²²⁵ Of course, libraries cannot control it if the servers of these external vendors or the large legal research databases are destroyed in a disaster, but small steps can be taken to protect them as well. The University of California’s California Digital Library License Agreement Checklist requests all vendors, “provide reasonable assurances regarding the availability and performance of its services, including redundancy and

²²⁰ Telephone Interview with Joe Lawson, *supra* note 63.

²²¹ Telephone Interview with Miriam Centeno, *supra* note 8; *PSAP Preservation Self-Assessment Program*, PSAP, <https://psap.library.illinois.edu/>.

²²² Telephone Interview with Amanda Watson, *supra* note 53.

²²³ Telephone Interview with Heather Kushnerick, *supra* note 65.

²²⁴ Telephone Interview with Heather Kushnerick, *supra* note 65.

²²⁵ Telephone Interview with Amanda Watson, *supra* note 53.

disaster plans.”²²⁶ Director Watson said one reason to look into services like EZproxy, Dropbox, and Google Docs suite is because their businesses depend on providing their services, protecting their servers will their top priority.²²⁷

As noted before, each library is different. Deputy Director Lawson said, “you can’t say one thing will work in every single location, you have to plan for the space you’re in.”²²⁸ The specific mitigation efforts are determined by the location, but it is important to insure mitigation is included in the overall disaster management efforts.

V. NEXT STEPS: DISCUSSIONS ON DISASTER PREPAREDNESS NEEDS TO BE EXPANDED

From the above comments and insights from the SME interviews, it is clear that there are lessons that can be learned from the larger community in the area of disaster management in law libraries. I would argue that it is time for law librarians to develop a foundational network for conversation that is nationwide, one that does not replace, but builds synergistically with regional and local groups.

While we may be thought of as more introverted as a professional community than others, the above examples show we are great at collaborating and helping others. Furthermore, we know librarians are interested in learning more about disaster management, as evidenced by both Deputy Director Lawson’s and Librarian Kushnerick’s presentations being well received.²²⁹ Librarian Kushnerick in particular mentioned the great conversations it sparked after the presentation.²³⁰

²²⁶ *CDL License Agreement Checklist*, University of California CDL California Digital Library (July 12, 2017), <https://www.cdlib.org/gateways/vendors/checklist.html>.

²²⁷ Telephone Interview with Amanda Watson, *supra* note 53.

²²⁸ Telephone Interview with Joe Lawson, *supra* note 63.

²²⁹ Telephone Interview with Joe Lawson, *supra* note 63; Telephone Interview with Heather Kushnerick, *supra* note 65.

²³⁰ Telephone Interview with Heather Kushnerick, *supra* note 65.

It is understandable that the topic of disaster planning and preparation is not as exciting as discussing the latest ways of obtaining and managing materials or the newest search engines designed to more quickly locate desired material. But disasters are a fact of life. They are random,²³¹ terrifying, and their frequency and impact has been escalating. The National Oceanic and Atmospheric Administration estimated 2017's natural disasters caused a record breaking \$306.2 billion of damage.²³² So while this topic may not be as attractive as others, we need to remember that preparation, drills, and planning always make a significant positive difference and have even saved lives.²³³

Director Watson and I discussed different paths forward, including more AALL workshops. These workshops should not only be for the creation of good disaster plans, but should move on to include more specific issues relating to disaster preparedness and management, and then to encourage more engagement and education.²³⁴ Collections Care Coordinator Centeno indicated she would like a kind of disaster management support group in the library world. Additionally, she encouraged me to think of including the broader cultural institution community, "This has to be a combined effort not a siloed one."²³⁵

Would the best format for this kind of a structure be an AALL Caucus, an email listserv, or something building on SHEP and AFR that spans law librarian, librarian, archivist, and curatorial communities, or combination? There are many paths forward, but a first step has to be taken. Dr. Lucy Jones wrote, "A community whose people know and care about one another is the one that

²³¹ JONES, *supra* note 2, at 10.

²³² Chris Morris, *2017's Fires, Hurricanes, and Other Natural Disasters Cost Over \$300 Billion*, FORTUNE MAGAZINE, Jan. 2018, <http://fortune.com/2018/01/09/2017-fires-hurricanes-natural-disasters-cost/>.

²³³ JONES, *supra* note 2, at 126, 128, 191.

²³⁴ Telephone Interview with Amanda Watson, *supra* note 53.

²³⁵ Telephone Interview with Miriam Centeno, *supra* note 8.

will pull through.”²³⁶ Although she was talking about towns and cities, these sentiments are also true for the community of law librarians.

We already stand together, discuss and work together, and, of course, disagree with each other on all of the important issues that face law libraries: what services should public law libraries offer, new reference tools that could be useful, what the latest technology can provide, and what current legislation means for law libraries. Regardless of the shape it takes, we simply need to expand the scope of the national discussion to include disaster planning and preparedness. The key lessons obtained in these national forums will enable us to become an even more valuable asset to the impacted communities we serve.

²³⁶ JONES, *supra* note 2, at 222.

Appendix A: Sample Telephone Interview Questions

- What kind of disaster was it?
- How long did the recovery take?
- Would the library be willing to share photos of the damage or any numbers (about cost, damage or rebuilding)?
- How much of the collection was damaged? Does the library have any percentages or numbers it is willing to share?
- What are the biggest lessons the staff/faculty learned from the experience (planning, disaster, and recover) that they would pass on to their colleagues?
- How did you know what to do in that situation?
- Do the experiences of other libraries that have had disasters influenced how your staff thinks about disaster planning and preparedness?
- Have other libraries and librarians learned from your experiences?
- Can librarians learn from the experiences of other libraries even if their library would never face that same kind of disaster?
- For example, would the kinds of earthquake experiences some libraries have be useful to libraries that are not in seismically active regions
- What are some things to keep in mind when creating a disaster preparedness or recovery plan?
- Did the library have a disaster plan before the disaster?
- Was the disaster plan useful?
- How did you know what to do?
- What other things besides a disaster plan were/are useful?

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