

**Louisiana State Bar Association Access to Justice Committee's
DISASTER PLAN FOR LEGAL ASSISTANCE
Revised August 2011**

Introduction

The purpose of this plan is to provide guidance to the Louisiana public interest legal community (Louisiana Justice Community/LJC) in the event of a major disaster and to be proactive in order to provide leadership in responding to the next disaster that hits our state, even though we do not know what that disaster may be.

Elements of a Successful Disaster Plan

From our past experience and considering the guidelines suggested by the Legal Services Corporation we have identified key issues that must be addressed for a successful disaster response: (1) Communication; (2) Accessibility to offices, or more specifically information in those offices; and (3) Coordination among those providing legal response to the disaster. Overall, the disaster plan must be adaptable and empower people to respond no matter what the emergency is. We do not know what form the next disaster will take, but we must agree to work together on a common goal. Those involved in the development of this plan were the ABA Young Leadership Division (ABA-YLD) which has a standing contract with FEMA to deliver legal help; the Louisiana State Bar Association; the LSBA Disaster Hotline; the Louisiana Civil Justice Center (LCJC); and the public interest law firms of the state which comprise the membership of the Access to Justice Committee.

Who is Responsible for Implementing the Disaster Plan?

The development and implementation of the disaster plan is the responsibility of the Access to Justice Disaster Leadership Team (DLT). The DLT shall consist of the ATJ Disaster Subcommittee Chair, the LCJC Executive Director, the LCJC President, one Director of Southeast Louisiana Legal Services (currently Mark Moreau), the Director of Legal Services of North Louisiana (currently Alma Jones), the ABA/YLD Disaster Liaison, the ATJ Committee Chair, ATJ Director and Projects Coordinator. An effort should be made to keep this team geographically diverse.

What is a Disaster? When Should the Plan Take Effect?

The plan may be implemented when federal or state authorities declare a disaster. It is intended that this plan cover both natural and man-made disasters. Even when an emergency event is not widespread or is not of a general nature, it may still call for action by the justice community. For example, if a disaster is localized or whenever a public interest law firm has to call for outside help to deal with such a situation, the Disaster Leadership Team will review the circumstances and decide whether the plan should be implemented.

What is Our Goal if Disaster Strikes?

Stated quite simply, the members of the Access to Justice Committee hereby agree that, in the event of a disaster, they will put all other considerations aside to do what they can legally do to provide legal help to the victims of the disaster and to assist the affected program members of the committee to fully resume operations. Disaster relief for both clients and other programs will be a priority for all programs with members on the committee.

LOUISIANA DISASTER PLAN FOR LEGAL ASSISTANCE

ELEMENTS OF THE DISASTER PLAN

A. PRE-DISASTER PLANNING

(1) Create the Statewide Disaster Leadership Team (DLT)

The Disaster Leadership Team (DLT) shall consist of the ATJ Disaster Subcommittee Chair, the LCJC Executive Director, the LCJC President, one Director of Southeast Louisiana Legal Services (currently Mark Moreau), the Director of Legal Services of North Louisiana (currently Alma Jones), the ABA/YLD Disaster Liaison, the ATJ Committee Chair, ATJ Director and/or Projects Coordinator. The Chairperson of the ATJ Disaster Subcommittee (currently Ann Scarle) shall serve as the Chair of the Disaster Leadership Team. An effort should be made to keep this team geographically diverse. Before a disaster, the DLT will:

- i. Compile a summary of relevant parts of the plan for dissemination to the other members of the ATJ committee. The ATJ director and his staff will be responsible for this.
- ii. Members of the DLT should attend training on disaster response or access available online training when it is available. (While the disasters of the last few years make us somewhat of an expert on these types of things, we must continue to look for fresh perspectives to be as prepared as possible.) – ATJ Training and Project Director will work with the ATJ Disaster Planning Subcommittee to develop training programs for DLT members and volunteers.
- iii. The DLT is responsible for updating contact information contained in this plan and reviewing the plan’s appropriateness annually; and will plan and oversee a “disaster practice drill” at least once every three years

(2) ABA – Young Lawyers Division (ABA-YLD)

Disaster response in Louisiana, as in most other states, has been delegated a responsibility of the state bar association’s Young Lawyer Section. The Louisiana ABA-YLD liaison for Louisiana will be asked to be a member of the ATJ Committee. The 2010-2011 ABA-YLD liaison is:

Lee Hoffoss
Newman, Hoffoss & Devall, LLP
1830 Hodges Street
Lake Charles, LA 70601
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Email: jlhoffoss@nhdlawyers.com

Experience has shown that only through collaborating with others in responding to a disaster can the victims be most effectively assisted. To that end, the participants of this plan suggest the following joint efforts:

- i. **Coordinate with YLS and Justice Community Groups.**
Work with the YLS to ensure that the ABA-YLD Disaster Liaison is knowledgeable and well-connected to the public interest legal community. Where possible, seek to have a member of the ATJ committee, a public interest organization board member or other person connected with public interest legal work become that designee.
- ii. **Identify contacts for government agencies and disaster services**
 - a. The ABA-YLD Disaster Liaison will check with ABA to see how contact should be made with the following government agencies and services:
 1. Red Cross:
 2. FEMA:
 3. Shelters and Disaster Recovery Centers:
 - b. The ABA-YLD Disaster Liaison will determine how to get permission to enter Red Cross and FEMA shelters and Disaster Recovery Centers. A single procedure for all these places is needed.
- iii. **Identify the LSBA's YLS District Representatives and ensure updated contact information is available.**
 - a. Up-to-date contact information for the LSBA YLS can be found on the LSBA website at <http://www.lsba.org/2007yls/Districts.asp?DIS=A>
- iv. **Develop a knowledgeable volunteer base pre-positioned and committed to responding**
 - a. Working through YLS District Representatives, the YLD Liaison will establish volunteer groups in each district consisting of young lawyers and others agreeing to work with their local pro bono programs should a disaster occur. 10-20 volunteers are needed for each region.
 - b. ATJ Staff will work with YLD Liaison to publicize the need for "Disaster Special Forces" among the YLS and general lawyer population.
 - c. Local pro bono programs will handle the administrative tasks to ensure the "special forces" volunteers can be accessed in the event of a disaster.
 - d. LSBA CLE Department/ATJ Training Coordinator will provide "special forces" volunteers with 4-6 hours of free CLE training on the issues most likely pertinent to a disaster. (These CLE's will be taped)
- v. **Identify the responsibilities each volunteer is willing to accept.**
In establishing the "special forces" volunteers will be asked to identify whether they wish to:
 - Staff hotlines
 - Work in the shelters or disaster recovery centers
 - Work with the local pro bono program to handle cases and callbacks

(3) Louisiana State Bar Association (LSBA)

i. Access to Justice Department

- a. An email listserv (lsba-atj-all@mail.lawhelp.org) has been established for all public interest personnel to communicate with each other. This listserv will be updated every April 1st by a request from the web site coordinator (or ATJ training coordinator) to the directors of the public interest organizations represented on the ATJ Committee. All public interest personnel should be encouraged to join the listserv.
- b. Create a displacement record page for legal aid organizations to post up-to-date program information including location, hours, services provided, contact and other pertinent information. This will be accomplished by adding a Legal Aid Organizations link on the disaster response page of the LSBA website. To access the page and submit information, organizations should go to www.lsba.org/dr and click on the icon that says Create a Displacement Record. After submitting or updating information through this system, it will be visible to public search through the Search Displacement Records feature.

ii. Legal Aid Organizations

- a. Each legal aid organization should develop a disaster plan for its staff and program. Plans should provide that staff members who are displaced by the disaster and are unable to immediately return to work will preferably complete a displacement record at the LSBA disaster response website (www.lsba.org/dr) or contact LCJC with information regarding how they can be contacted. While the displacement records process was created for attorneys, any non-attorney staff and new attorneys without bar numbers can obtain instructions and a password at the website in order to create a displacement record. Program disaster plans should also include a planned publicity/outreach campaign to use in order to reach displaced clients, or in the event that evacuees relocate to the program's service area.
- b. Each legal aid organization is responsible for entering and updating their information on the LSBA disaster response website (www.lsba.org/dr) by creating a displacement record for their organization.
- c. Each organization should create a listserv for staff using Probono.net. The purpose of this listserv is to maintain a reliable way to contact and share documents with all staff by email. Confidential client information should not be shared through this listserv. For the most part, it is a way to communicate privately, but Probono.net technical staff have access to the archives and to the emails.
- d. All organizations will work with the LSBA Access to Justice Program to train staff on the statewide disaster plan and the individual program's plan
- e. Organizations will identify a program contact person in the event other programs need to call on your program for help. This person will be authorized to do whatever is necessary to respond to the request for help.
- f. Organizations can access the LSBA Disaster Page (www.lsba.org/dr) and submit information, the LCJC should go to www.lsba.org/dr and click on the

icon that Create a Displacement Record. After submitting or updating information through this system, it will be visible to public search throughout the Search Displacement Records feature.

- iii. **Communications Department and Media Contacts**
 - a. The LSBA Communications Director will identify outreach and advertisement opportunities and prepare contact information for potential media needs during a disaster including radio and television stations, online resources such as nola.com, outdoor billboards along evacuation routes.
 - b. The major source of information for publicity on public interest organizations will be obtained from updated displacement records.

(4) Louisiana Civil Justice Center (LCJC)

Working with the DLT, the Louisiana Civil Justice Center (LCJC) will be the responsible for coordinating the non-profit response to the disaster.

- i. The LCJC will develop a plan for displaced public interest program staff to work with the statewide hotline. The program contact person (or some other program designated party) will be responsible for ensuring that the DLT and LCJC have access to, or providing them with information regarding the non-profit legal services organization including the address of the organization, the status, how disaster victims can contact the organizations, information relevant to staff. Update organizational information immediately after the disaster occurs.
- ii. The LCJC will establish a phone line by which DLT members, and public interest program directors can contact the LCJC staff directly.
- iii. The LCJC will be responsible for maintaining the statewide hotline, including moving the telephone hotline headquarters if necessary during a disaster. The LCJC will make arrangements for having their phones transferred to an alternate location should they be displaced. In addition, the LCJC should establish backup phone lines in case the original lines are not working. DLT members will be provided the current and alternate phone numbers.
- iv. The LCJC will have a plan for possible relocation. That plan currently provides that, in the event of a disaster, there will be three possible locations for LCJC and the hotline: (1) its current location in New Orleans at the Bar Center; (2) the campus at LSU Law School; and (3) a centralized location to be determined, probably Alexandria. LCJC will be responsible for moving the phones and computers in the event of displacement. In addition, LCJC will ensure that hotline voicemail can be accessed remotely.
- v. LCJC will develop general information brochures and fliers to advertise the hotline in English, Spanish, French and Vietnamese. This publicity and general outreach information will be made available to the media, disaster victims and NPOs through the LSBA disaster response page online.
- vi. Working with the public interest legal organizations, the LCJC will develop a procedure for referring clients to agencies for help which has a back-up plan in the event that the present Internet system cannot be used.

(5) Communications with State and National Entities

i. ATJ Contact with State Organizations and Agencies

- a. The ATJ Disaster Planning Subcommittee will appoint an individual to initiate communication with the Governor's Office of Homeland Security and Emergency Preparedness ("GOHSEP") and the Louisiana Attorney General's Office. For the 2011-2012 Bar year, that person is:

Jackie McCreary
New Orleans, Louisiana

Phone

Cell

Email:

- b. Before the disaster, the ATJ Committee should establish a working relationship with GOHSEP to identify how we can work with GOHSEP in the event of a disaster. This information should be reported to the ATJ Committee. GOHSEP keeps up-to-date contact information by Parish Director on its website at <http://gohsep.la.gov/parishoepnumbers.aspx>. The GOHSEP Individual Assistance Officer can be reached at:

Connie Mincey
Individual Assistance Officer
Governor's Office of Homeland Security and Emergency Preparedness
415 N. 15th Street
Baton Rouge, Louisiana 70802
Main - 225-925-7500
Desk - 225-339-3734
Cell - 225-573-0964
<http://www.ohsep.louisiana.gov/>

- c. Communication should be initiated with the State Attorney General's Office. Establish link through the Attorney General's Office which will have access to GOHSEP and the State's Emergency Operations Center in the event of a disaster.

Bill Bryan
225-326-6081 (office)
225-445-2781 (cell)
bryanb@ag.state.la.us

Additional key contacts at the Attorney General's office are:

Uma Subramanian
(225) 326-6019
(225) 572-7332

Erin Daye
225-326-6081
daye@ag.state.la.us

- d. Participate in the state government’s long-term recovery services to develop a relationship with GOHSEP and the Emergency Operations Center.
- ii. **Contact with Louisiana Supreme Court**
 - a. The designated contact person with the Supreme Court for the LSBA is John Olivier. His contact information is: Cell - (504) 583-8241 and email: jolivier@lasc.org. Chip Coulter, a member of the Access to Justice Committee, can help facilitate communication with the court. His contact information is ccoulter@lasc.org or (225) 382-3181.
- iii. **Contact with National Organizations and Agencies**
 - a. The DLT will assign a statewide liaison and an alternate to contact national organizations about the disaster plan and the DLT contacts. The statewide liaison is currently Joe Oelkers and his alternate is Mark Moreau. These two people should establish contact with other members of the justice community to get information and identify needs in order to educate these national groups on how they can best help. Contact should be made with the appropriate groups and any updated contact information provided. The contact person and the alternate should try to contact each other and identify other national organizations to contact. Prior to the disaster, a group email list and phone list will be created with the contacts from selected organizations. A draft email “template” could be created providing information on the contact person and probable alternate.

B. IMMEDIATELY BEFORE THE DISASTER

(1) The Statewide Disaster Leadership Team (DLT)

Immediately before a disaster, the DLT will meet by phone conference, and review team members locations and first steps to implement the plan. The ATJ Director and ATJ staff will be responsible for coordinating this meeting.

(2) ABA – Young Lawyers Division (ABA-YLD)

- i. Initiate contact with government agencies and disaster services
 - a. The ABA-YLD liaison and/or the disaster leader should initiate contact with the following organizations:
 - b) Red Cross:
 - c) FEMA:

- d) Shelters and Disaster Recovery Centers:
- ii. Initiate contact with the LSBA YLS Representatives
 - a. The ABA-YLD liaison should initiate contact with each of the YLS representatives by telephone or email to ensure that the representatives are prepared to assist and organize their district's volunteers.

(3) Louisiana State Bar Association (LSBA)

ATJ staff will ensure that the online disaster response page is working properly, and that all materials posted to the website are available for viewing and download.

(4) Legal Aid Organizations

If appropriate, program personnel should enter their contact information at the Create a Displacement Record link on the disaster response website (www.lsba.org/dr), and make contact with other Justice Community Programs in the area where they may be displaced.

(5) Louisiana Civil Justice Center (LCJC)

- i. The LCJC will be responsible for maintaining the statewide hotline, including moving the call-in headquarters if necessary during a disaster. The LCJC will make arrangements for having their phones transferred to an alternate location should they be displaced. The LCJC will establish a phone line by which DLT members, and public interest organization directors can contact LCJC Staff directly. In addition, the LCJC should establish backup phone lines in case the original lines are not working. DLT members will be provided the current and alternate phone numbers.
- ii. The LCJC will determine where they will be located. In the event of a disaster, their plan provides for re-location to three possible locations: (1) the current location in New Orleans at the Bar Center; (2) the campus at LSU Law School (we do not know the exact location but have been assured of space and assistance in a timely manner, as was the case after Katrina); and (3) a location to be determined, probably in Alexandria. LCJC will be responsible for moving the phones and computers in the event of displacement.

(6) Communications with State and National Entities

Immediately before the disaster, the statewide liaison (currently Joe Oelkers and alternate, Mark Moreau) should notify LSC, NLADA, National Disaster Risk Management (NDRM) and the ABA Pro Bono Committee staff of his or her contact information and probable alternate contact information in the event of displacement by a disaster. The statewide liaison should also provide national organizations with contact information about the DLT. If possible, re-contact national organizations and remind them that they will be the contact people following the disaster.

AFTER THE DISASTER

(7) The Statewide Disaster Leadership Team (DLT)

- i. Will determine a meeting time and date after the disaster and all members will be provided conference calling information.
- ii. Distribute the LCJC phone numbers and the ATJ listserv and website information to DLT members. The LCJC phone number will be the initial contact for the DLT members.
- iii. Provide leadership in responding to the disaster. Address issues that arise from the disaster
- iv. Coordinate the efforts of our community to respond to the disaster
- v. Identify projects and resources to improve the disaster response
- vi. Monitor the implementation of the disaster plan.
- vii. Keep a journal on activities of the committee and unanticipated obstacles encountered.

(8) ABA – Young Lawyers Division (ABA-YLD) Liaison

- i. The ABA-YLD liaison will remain in contact with the ABA-YLD to:
 - Share knowledge about what each party is doing.
 - Identify gaps in the service to clients.
 - Seek to develop strategies to fill those gaps.
 - Work with pro bono organizations that participate on the ATJ Committee to discuss with the ABA -YLD providing volunteer attorneys to the disaster efforts.The ABA-YLD liaison will keep a journal regarding efforts to implement disaster services and unexpected obstacles.
- ii. Convene YLS District Representatives
- iii. The ABA-YLD Liaison will convene the YLS District Representatives either in person or by conference call to share information, determine needs in each district and establish a system of volunteer coordination to address those needs and other responsibilities as outlined in this disaster plan.
- iv. Continue regular contact with the LSBA YLS Representatives
 - a. The ABA-YLD liaison will continue regular contact with each of the YLS representatives by telephone or email to ensure that the representatives are prepared to assist and organize their district's volunteers.

(9) Louisiana State Bar Association (LSBA)

- i. The DLT will be responsible for implementing the plan, monitoring its effectiveness and discussing needed plan changes with the LSBA to make the response more effective. The LSBA Staff liaisons are Monte Mollere, Jonathan Rhodes for ATJ issues and Tony LaVerde for technology issues
- ii. The LSBA Communications Department Director Kelly Ponder, will be integral to dissemination of information to the public and disaster victims and will work with the ATJ Disaster Leadership Team to provide services as needed. The LSBA

Communications Department maintains a media contact list which can be used for distribution of information.

- iii. The displacement record section and Public Interest Organizations link on the LSBA's Disaster Response web page (www.lsba.org/dr) will serve as the clearinghouse for basic information about legal aid organizations for both staff and the public including location, hours, services provided, contact and other pertinent information.

(10) Legal Aid Organizations

- a. The organizational displacement record on the LSBA website (www.lsba.org/dr) should be updated after the disaster to include information such as office closures, current office locations, hours of operation, services provided and access to services for displaced clients, and any other critical information the organization wishes to convey to the public. Information should be updated once plans are finalized to reopen an office that has been closed. DLT and LCJC will share this information with program committee members and the public as deemed appropriate.
- b. To access the page and submit information, organizations should go to www.lsba.org/dr and click on the icon that says Create a Displacement Record. After submitting or updating information through this system, it will be visible to public search through the Search Displacement Records feature.
- c. The individual listservs established by the public interest organizations will serve as the main contact for public interest personnel and their employers.
- d. Legal aid organizations should ask any evacuees they come in contact with if they are presently a client of another ATJ member program. If so, they should find out the specific advocate who was handling the case. They should also record any contact information the evacuee can provide, including the name and contact information of a relative or friend who will probably continue to know their whereabouts even if they have to relocate again. They will also ask the evacuee if they have any requests regarding the handling of their case. This information will be passed on to the relevant program and the specific advocate when possible.
- e. Displaced staff members should contact the statewide website to create a displacement record (preferably) and LCJC hotline to let everyone know how they can be contacted. Also contact a nearby Louisiana legal aid organization.
- f. If program staff has been displaced and/or offices closed, assign your staff to other public interest law offices in Louisiana to assist with their efforts to serve the victims of disaster if staff is able to arrange or is provided a suitable place to stay.
- g. For any program whose facilities remain open, be prepared to assist displaced staff members from other programs. Such assistance should include, at a minimum, the offer of space for several days where the staff member can work or make needed contacts, use of a phone, use of the Internet and providing staff members information about contacting their director and information about closed offices.

- h. Implement the program's publicity/outreach campaign to displaced low-income people in your service area.

(11) ATJ Committee Members

- a. Displaced ATJ Committee members should "Create a Displacement Record" at the LSBA Disaster Response web site.
- b. The ATJ Committee listserv can be used to advise of your needs or whether you are in a position to help others.

(12) Louisiana Civil Justice Center (LCJC)

- i. The Louisiana Civil Justice Center will serve as the primary access point for responding to victims. The LCJC and DLT will work with the LSBA Communications Department to develop information for the public and media as appropriate.
- ii. LCJC personnel will be responsible for contacting state personnel at DSS and GOEA and providing them with information that can be disseminated throughout the state.
- iii. The LCJC Hotline will serve as a secondary contact point only in the event that staff does not have internet access. A separate phone line at the LCJC will be made available to staff of public interest law firms in order to provide them with direct access to retrieve and provide information. This line should only be used if online access is not available.
- iv. The LSBA disaster response website (www.lsba.org/dr) will serve as the initial contact point for staff of public interest law firms to provide and record information on where they are, how to contact them, what help they need and whether they are in a position to help.

a. Communications with State and National Entities

Notify LSC, NLADA, National Disaster Risk Management (NDRM) and the ABA Pro Bono Committee staff who the state disaster liaison is, and probable alternate contact information in the event of displacement by a disaster. This task is presently assigned to Joe Oelkers with Mark Moreau as his backup. In addition, the ABA YLD representative (currently Lee Hoffoss) will distribute information about the Louisiana disaster plan, the DLT, and other pertinent contact information to the ABA and communicate with FEMA and Red Cross as needed.

USE OF PLAN WHEN DISASTERS OCCUR IN NEARBY STATES

To the extent it makes sense, the same steps should be taken when a disaster in a nearby state results in public interest legal staff and/ or low-income legal clients are displaced to our service areas.