

# **LOUISIANA STATE BAR ASSOCIATION ACCESS TO JUSTICE COMMITTEE**

## **Disaster Response Subcommittee Coordinated Disaster Plan**

**Revised July 2021**

### **What is the purpose of this plan?**

The purpose of the ATJ Committee's Disaster Response Subcommittee is to facilitate the coordinated legal response of Louisiana's Civil Legal Aid Community in the event of a major disaster and proactively provide leadership and guidance in preparing for future disasters.

### **What is a disaster?**

A disaster is defined as a sudden event, either a natural catastrophe or circumstance, that causes great damage. The plan may be implemented when federal or state authorities declare a disaster. It is intended that this plan cover both weather and non-weather-related events. An emergency does not need to be widespread or of a general nature to call for action by the justice community. A disaster may be localized or affect a single legal aid organization.

### **What groups comprise the ATJ Committee's Disaster Response?**

- The Disaster Response Subcommittee
- The Disaster Leadership Team
- The Disaster Law Expert Group

### **What is the role of the Disaster Response Subcommittee?**

The Disaster Response Subcommittee (DRS) is a standing committee of the Louisiana State Bar Association comprised of a small group of individuals responsible for the ongoing coordination and implementation of the LSBA's Justice Community disaster response through partnership with ABA-YLD Disaster Liaison, Pro Bono Organizations, Louisiana Appleseed, Louisiana Legal Services Providers, Law Schools, and other stakeholders). The group should include at least the following representatives:

1. the Disaster Response Subcommittee Chair, Anne Gregorie (Baton Rouge)
2. the Executive Directors of the legal service organizations, Laura Tuggle (New Orleans – Southeast Louisiana Legal Services), Greg Landry (Lafayette – Acadiana Legal Services Corporation)
3. the Executive Director of Louisiana Appleseed, Adrienne Wheeler (New Orleans)
4. the Executive Director of the Lagniappe Law Lab, Amanda Brown (New Orleans)
5. ABA/YLD Disaster Liaison, Josef Ventulan (Baton Rouge)
6. the Access to Justice (ATJ) Director, Monte Mollere (New Orleans) and,
7. ATJ Projects Counsel, Rachael Mills (New Orleans).

The Subcommittee will meet quarterly (or as deemed necessary by the Chair) to ensure readiness for and response to emergency events. Notes of these meetings will be shared with members of the larger Leadership Team after the meeting has occurred via email.

When a disaster is imminent or has occurred, the Disaster Response Subcommittee will convene and determine whether this plan should be implemented. If the plan is implemented, the Disaster Response Subcommittee will convene a meeting of the Disaster Response Leadership Team.

### **What are the Disaster Response Subcommittee's responsibilities?**

1. Develop and maintain relationships amongst local and state partnerships that are commonly called to assist when disasters occur
2. Maintain & Update the Volunteer Disaster Manual (*Louisiana Appleseed*)
3. Maintain the ABA/YLD Disaster Hotline and coordinate volunteers for its implementation (*YLD w/assistance of the LSBA staff*)
4. Maintain the LSBA Disaster Response website ([www.lsba.org/dr](http://www.lsba.org/dr)) to keep the legal community up to date on all issues related to a disaster (*LSBA Staff*)
5. Maintain membership of the ATJ Disaster Response Subcommittee (*LSBA Staff*)
6. Establish membership of the Disaster Substantive Law Expert Group (*Legal Aid Organization Directors*)
7. Facilitate meetings and coordinate work product of the Disaster Substantive Law Expert Group (*LSBA Staff*)
8. Assist ABA/YLD in recruiting disaster volunteers (*LSBA Staff*)
9. Attend Louisiana VOAD meetings (*Legal Aid Organization Directors*)

### **What is the role of the Disaster Response Leadership Team? Who are members of the Disaster Response Leadership Team?**

Once convened by the Disaster Response Subcommittee (Subcommittee), the Disaster Response Leadership Team (Leadership Team) will be responsible for coordinating efforts to assist in disaster response by the participating organizations and will meet as necessary to respond to a disaster. This is the body that will maintain communication across the diverse parties and will make decisions based on group consensus.

Leadership Team membership should consist of geographically diverse representatives who are capable of making or obtaining commitments of resources needed to respond to the disaster.

The Disaster Response Leadership Team will include the Subcommittee members and at least following additional representatives:

1. Local Bar Association Executive Director
2. GOHSEP Executive Counsel
3. Pro Bono Program Executive Director
4. LSBA YLD Chair
5. FEMA Representative
6. Red Cross Representative

This list is not meant to be finite, but as a starting point for including individuals involved in disaster response. Participation by other interested parties is encouraged and welcomed, particularly in the area(s) affected by the disaster.

**What are the prime responsibilities of the Leadership Team?**

1. Coordinate communication after a disaster between Leadership Team members and community partners responding to that particular disaster.
2. Advertisement and distribution of trainings and educational material created by the Disaster Substantive Law Expert Group
  - a. For governmental and non-governmental organizations aiding in a disaster (ex. FEMA, red Cross, and community partners)
  - b. For members of the public on legal issues related to disaster law (ex. FEMA appeals, public benefits, small successions)
3. Advertisement of Pro Bono Opportunities (in conjunction with the relevant substantive law trainings that will assist volunteers)
  - a. ABA/YLD Hotline
  - b. LA.FreeLegalAnswers.org
  - c. Disaster Recovery Centers
  - d. Local pro bono programs

**What is the role of the Disaster Substantive Law Expert Group? What are the Group's responsibilities?**

There will also be a Disaster Law Experts Group (Experts) who will meet quarterly and work to implement the objectives of the Disaster Response Subcommittee. Members of the Experts shall include legal aid providers with tangible knowledge of the substantive areas of law and experience in responding to the legal needs of disaster survivors.

The Working Group is responsible for:

1. Development and coordination of information crucial to the public after a disaster
2. Preparation of trainings to recruit and prepare pro bono attorneys to assist in disaster response.
3. Education of non-legal and governmental aid organizations about the existence and availability of civil legal aid organizations to those affected by disasters.

The Experts will host annual quarterly meetings in August (the beginning of each Bar Year), November, February, and May or as they deem necessary. Trainings for volunteer attorneys should be completed by May 1<sup>st</sup> of each year and promptly put within the library on [probono.net/la](http://probono.net/la).

## **What kinds of trainings and educational material will the Disaster Law Expert Group provide and who will they target?**

There are 3 different target groups for these trainings.

1. Volunteer attorneys
2. Governmental and non-governmental aid organizations (FEMA, Red Cross, community partners, etc.)
3. The public

**Volunteer Attorney Trainings:** The trainings for volunteer attorneys will address legal issues pertinent to disaster survivors. The attorney trainings will cover how to use the Volunteer Disaster Manual, FEMA appeals, public benefits, and housing issues, and any other issues the working group determines appropriate. These recorded trainings will complement the material in the Volunteer Disaster Manual and be located within the [probono.net/la](http://probono.net/la) library of resources; they should be completed and uploaded to [probono.net/la](http://probono.net/la) by May 1<sup>st</sup> each year. The trainings are to serve as a basis to prepare attorneys in the event of a disaster and will be advertised throughout the year for the purpose of adequate preparation. The model for these trainings is North Carolina's "[Disaster Legal Services Bootcamp](#)" training series.

**Governmental and non-governmental aid organizations Trainings:** The trainings for governmental and non-governmental aid organizations will address the services provided by Louisiana's legal aid organizations. FEMA and the Red Cross are examples of organizations that these trainings would target, as well as other groups that work directly with disaster survivors. These trainings could be: 15-minute videos on the type of legal services provided by legal aid, the distribution of legal aid informational flyers, or in-person or virtual events for disaster assistance organizations.

**Public Trainings:** In addition, this group will also work to provide information to the public after a disaster. The group is to ensure a collection of informational templates should be maintained to aid in prompt creation of this material and to ensure uniformity. The templates can be customized for the group as needed.

## **How will the Disaster Law Experts Group's public training material be distributed?**

There are several civil legal resources available to the public after a disaster that will be coordinated by the Disaster Response Subcommittee. The information distributed should be consistent and distributed through several means including flyers with appropriate referral information, FAQs after a disaster, Facebook live educational sessions, or seminars providing legal information.

Resources for the public include:

1. [Louisianalawhelp.org](http://Louisianalawhelp.org)
2. [La.FreeLegalAnswers.org](http://La.FreeLegalAnswers.org)
3. LSBA Disaster Hotline (1-800-310-7029)
4. Legal Aid programs

- a. Websites
  - b. Social Media
- 5. Pro Bono Programs
  - a. Websites
  - b. Social Media
- 6. National Disaster Legal Aid FEMA Appeals site -  
<https://www.disasterlegalaid.org/femaappeals/>
- 7. Text Line set up by Lagniappe Law Lab after Hurricane Laura (Text "subscribe" to 318-405-4185)

### **What is Louisianalawhelp.org and how does it help the public?**

[Louisianalawhelp.org](http://Louisianalawhelp.org) is a website that provides free legal information to the public on a variety of civil legal issues. The site is maintained by the nonprofit tech organization [Lagniappe Law Lab](http://Lagniappe Law Lab). Legal information for disaster survivors is available year-round.

When a disaster occurs, the disaster substantive law experts' group should collaborate with the Lagniappe Law Lab to prioritize the disaster information already on the site and develop any additional disaster law information necessary for the particular disaster.

### **What is LA.FreeLegalAnswers.org and how does it help the public?**

[LA.FreeLegalAnswers.org](http://LA.FreeLegalAnswers.org) is an online pro bono program that was created by the American Bar Association and is administered locally by the LSBA's Access to Justice Program. The site allows users who qualify to ask civil legal questions online. Volunteer attorneys can then log into the site and select questions they can answer. Under non-disaster situations, to qualify, users must be: 18 years of age or older, not currently in jail or prison, have an income within 250% of the federal poverty guidelines, and less than \$10,000 in assets.

When disaster strikes, the income guidelines can be raised on the site by the national Free Legal Answers administrator. Typically, the income guidelines are raised to an income within 400% of the federal poverty guidelines. To raise the income guidelines on LA.FreeLegalAnswers.org, contact the National Administrator of ABA Free Legal Answers.

#### National Free Legal Answers Administrator with the ABA

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If after a disaster, the Louisiana Supreme Court invokes the rule allowing out of state attorneys to practice pro bono in Louisiana, LA.FreeLegalAnswers.org can allow registration of out of state attorneys as volunteers. The LA.FreeLegalAnswers.org administrator will then need to verify the bar license of the out of state attorney before approving that attorney as a volunteer on the site.

## **What is the ABA/YLD role?**

The ABA/YLD have a memorandum agreement with The Department of Homeland Security/Federal Emergency Management Agency (FEMA) to provide disaster legal services (DLS). Pursuant to this Agreement, signed most recently in 2017, the Young Lawyers Division of the American Bar Association (ABA-YLD), when requested by the Department of Homeland Security/Federal Emergency Management Agency (DHS/FEMA), will provide legal services to low-income disaster survivors in the aftermath of a major disaster as defined in the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1974 (the Stafford Act), 42 U.S.C. § 5121, et seq. DLS provides free legal assistance to persons affected by a presidentially declared major disaster on legal matters that arise directly from the related disaster through the ABA/YLD hotline.

The ABA works with the Young Lawyers Divisions in each state to establish this hotline. In Louisiana, the entity responsible for maintaining the ABA-YLD hotline is the Louisiana State Bar Association's Young Lawyers Division. The LSBA YLD Disaster Liaison is a member of the Disaster Response Subcommittee and helps coordinate hotline efforts. They are also responsible for being a contact point with the ATJ Disaster Leadership Team.

It is also the ABA/YLD's responsibility to act as a contact point with FEMA. When disaster legal services are needed, DHS/FEMA forwards a written request to the National Coordinator of Disaster Legal Services in the Young Lawyers Division of the ABA to implement disaster legal services in the affected area(s). When DHS/FEMA requests the assistance of the ABA-YLD pursuant to the Agreement, the ABA-YLD "shall have the sole and complete authority to coordinate and manage the delivery of legal services to disaster survivors."

2021-2023 ABA-YLD Disaster Liaison, Louisiana  
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## **What is the ABA/YLD Hotline and how does it work?**

The ABA/YLD Hotline is a service that is activated after a federal state of emergency is declared by the President. Its purpose is to provide legal information and/or legal advice to disaster survivors. The hotline number is 1-800-310-7029; it is the same phone number associated with the former Louisiana Civil Justice Center. This number is preserved and maintained by the Louisiana State Bar Association.

When the hotline is activated, the Disaster Leadership Team is to begin publicizing the existence of the ABA/YLD hotline and start accepting calls. Callers will be asked to leave a message on the hotline, providing their contact information and short description of their legal issue. LSBA ATJ

Staff and/or volunteers will maintain records of these calls through a google spreadsheet and coordinate volunteer attorneys to return the messages left by the callers.

Currently, the hotline is connected to the physical phone at the LSBA's reception desk, extension 132 or 504-619-0132. A recorded message plays in English and Spanish and directs callers to the appropriate civil legal aid organization depending on whether they were affected by Hurricanes Laura and Delta or Hurricane Zeta. If a caller leaves a message, the information is then recorded and the ATJ Projects Counsel returns the call.

When the hotline is not activated the voicemail should be a generic message in English and Spanish that directs callers to the resources and information available on the LSBA's Find Legal Help page.

### **Who is responsible for recruiting volunteers for the ABA/YLD Hotline?**

The YLD is primarily responsible for recruiting volunteers with the help of local pro bono entities. They will return the messages left by disaster survivors on the ABA/YLD hotline. This can be done in a variety of ways through online recruitment, YLD publications, and trainings incorporated into yearly YLD CLE programs (ex. Bridging the Gap and the Young Lawyers Conference). LSBA Staff will help the ABA/YLD coordinate volunteers and ensure messages are returned.

### **What are the resources available for attorneys?**

There are several resources that exist for new and volunteering attorneys, including legal aid attorneys. These trainings are meant to update attorneys on current disaster related news and train them on how to quickly respond to the civil legal needs of disaster survivors.

1. LSBA Disaster Response Site ([www.lsba.org/dr](http://www.lsba.org/dr))
2. Disaster Manual for Volunteer Attorneys
3. [Probono.net/la](http://Probono.net/la)
4. National Disaster Legal Aid Advocacy Center site - <https://www.disasterlegalaid.org/advocates/>

The LSBA Disaster Response website ([www.lsba.org/dr](http://www.lsba.org/dr)) is the main resource that provides information to the state's legal community on disaster-related issues.

There are also numerous educational materials available to train volunteers on how to handle a disaster survivor's civil legal needs. The primary resource is [Probono.net/la](http://Probono.net/la) that contains a library of trainings for attorneys, including the "Disaster Manual for Volunteer Attorneys."

Additionally, the National Disaster Legal Aid Advocacy Center also provides information and trainings related to legal disaster response, <https://www.disasterlegalaid.org/advocates/>.

### **What is the purpose of the LSBA Disaster Response website?**

The LSBA Disaster Response website ([www.lsba.org/dr](http://www.lsba.org/dr)) was created after Hurricane Katrina. Its purpose is to act as an informational hub for Louisiana's attorneys after a disaster. The site is always live, but it is not always promoted. After a disaster is declared, the link is publicized on the LSBA homepage. The site contains: a message from the LSBA President, a message board for attorneys, contact information for dislocated attorneys, and information on how attorneys can

volunteer. Any updates regarding a disaster should be given to the ATJ Projects Counsel in charge and they will make sure the page is updated and ready to go at any time.

### **What is the Disaster Manual and where is it housed?**

The Emergency/Disaster Training Manual for Volunteer Lawyers was created after Hurricane Katrina in September 2005. It contains pertinent information for attorneys wanting to volunteer after a disaster. It is maintained and updated each year by Louisiana Appleseed. This manual is meant to accompany the trainings put together by the Disaster Substantive Law Expert Group.

Further, the manual can be found on the LSBA Disaster Response website and within the library of resources on [probono.net/la](http://probono.net/la). Updates to the disaster manual should be completed by May 1<sup>st</sup> of each year.

### **What is probono.net/la? How does it fit in with the LSBA Disaster Plan?**

[Probono.net/la](http://probono.net/la) is a website for volunteer attorneys in Louisiana. The site is maintained by the Lagniappe Law Lab. The site features a calendar of events and library of resources; these resources include template forms, cases, and recorded trainings. The site also hosts numerous listservs, including the Disaster Response listserv that will provide information and updates to attorneys interested in disaster response.

[Probono.net/la](http://probono.net/la) will host all the recorded trainings put together by Disaster Substantive Law Expert Group, this way they are easily accessible for those looking to volunteer.

### **What is the Legal Aid Disaster Response Listserv on probono.net and what is its function?**

The Legal Aid Disaster Response listserv was a carryover of an older listserv on probono.net created after Hurricane Katrina. The Disaster Response Subcommittee decided to maintain and revitalize this listserv in 2018 as another way to maintain communication in the event of a disaster.

This listserv should be advertised to pro bono attorneys to communicate and share information after a disaster. Through this listserv, the ATJ Department can keep members apprised of all the latest news related to a disaster and the available volunteer resources like the recorded trainings and disaster manual.

Volunteers should be encouraged to register with probono.net/la and join the Legal Aid Disaster Response listserv to stay updated.

### **Items that should be maintained before a disaster. Who is responsible for maintaining these items?**

The list below contains several items that should be maintained each year whether an impending disaster is declared by any entity within or outside the Disaster Response Subcommittee. The list also details the Subcommittee member responsible for each item.

1. Disaster Group Membership
  - a. Disaster Response Subcommittee Membership (*LSBA Staff*)
  - b. Disaster Leadership Team membership (*LSBA Staff*)

- c. Disaster Law Expert Group (*Legal Aid Organizations*)
2. Volunteer Disaster Manual (*Louisiana Appleseed*)
3. Recorded Volunteer Trainings on probono.net/la (*Disaster Law Expert Group*)
4. Regularly recruit volunteers to be “disaster ready” (*LSBA Staff & YLD*)
  - a. Use probono.net/la Disaster Response listserv to advertise trainings and keep volunteers informed of latest events
  - b. Programming in LSBA YLD Events
5. LSBA Disaster Response Website (*LSBA Staff*)
6. Recorded message on the Disaster Response hotline (*LSBA Staff*)

This list is not meant to be finite but based on current resources that are available today. Resources and tools are subject to change based on any improvements or changes made to disaster-related preparedness plans and materials.

### **What Steps should be taken when an impending disaster is announced?**

The list below details some of the necessary steps that should take place when an impending disaster is announced. These steps are subject to change based on the circumstance surrounding the situation. The list also details the Subcommittee member responsible for each item.

1. Convene a meeting of the Disaster Response Subcommittee and consider calling a meeting of the Disaster Response Leadership Team (*LSBA Staff*)
2. Review the LSBA Disaster Response website and prepare to launch (*LSBA Staff*)
3. Prepare the ABA Press Release for the ABA/YLD Hotline (*ABA/YLD Liaison & LSBA Staff*)
4. Email Disaster Response listserv to remind them of available trainings and recruit volunteers to return calls from the disaster hotline (*LSBA Staff*)
5. Work with Lagniappe Law Lab to ensure they have what they need for Louisianalawhelp.org (*LSBA Staff*)

### **Steps that should be taken after a disaster:**

The list below is some of the necessary steps that should take place after a disaster is declared and has occurred. These steps are subject to change based on the circumstance surrounding the situation. Along with the Subcommittee member responsible each step is mentioned on the side.

1. Meet with the Disaster Response Subcommittee to decide if the disaster plan will be implemented (*LSBA Staff*)
  - a. If implemented, call a meeting of the Disaster Response Leadership Team.
2. Launch the LSBA Disaster Response website (*LSBA Staff*)
  - a. Put button on the LSBA homepage
  - b. Update President’s Message
  - c. Update Volunteer opportunities
3. Open the ABA/YLD Hotline (*LSBA Staff*)
  - a. Publicize services of the Hotline
    - i. ABA Press Release

- b. Schedule volunteers to return calls
  - c. Ensure recording is appropriate to the disaster
- 4. Email Disaster Response listserv to remind members of available trainings and recruit volunteers to return calls from the disaster hotline (*LSBA Staff*)
- 5. Work with Lagniappe Law Lab to ensure they have what they need for Louisiana Lawhelp (*LSBA Staff*)
- 6. Coordinate communications after a disaster to Target audiences (*Disaster Response Leadership Team*)
  - a. The public affected by disaster
  - b. Governmental and non-governmental aid agencies
  - c. Volunteer attorneys

### **The Calendar of Yearly Scheduled Meetings:**

#### **August**

Convene meeting of the Working Group

#### **November**

Convene meeting of the Working Group

#### **February**

Convene meeting of the Working Group

#### **May**

Convene meeting of the Working Group

Convene meeting of the Disaster Response Subcommittee to review items before Hurricane season

Complete Updates to the Disaster Manual

Review Trainings for volunteer attorneys & Update as needed

Begin advertising for volunteer opportunities

### **Other Disaster-Related Resources:**

1. National Disaster Legal Aid Site
  - a. Equal Justice Works Disaster Training Videos - <https://www.disasterlegalaid.org/equaljusticeworks/>
  - b. LSC Disaster Counseling Videos - [https://www.disasterlegalaid.org/legalaidstaff/item.8283-LSC\\_Disaster\\_Counseling\\_Videos](https://www.disasterlegalaid.org/legalaidstaff/item.8283-LSC_Disaster_Counseling_Videos)
  - c. FEMA Appeals - <https://www.disasterlegalaid.org/femaappeals/>
2. California - <https://disasterlegalservicesca.org/>
3. North Carolina - <https://ncprobono.org/resource/disaster-legal-services-bootcamp/>
4. South Carolina - <https://www.scbarr.org/public/get-legal-help/disaster-relief-resources/>
5. Texas - <https://www.texasbar.com/Content/NavigationMenu/ForThePublic/DisasterReliefResources1/default.htm>