

# Welcome!

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## 2019 VOLUNTARY BAR LEADERS CONFERENCE



## A Storm is Brewing: Disaster Planning and Recovery

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JULY 12, 2019

# Presenters

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**Colin McMichen**

Past President  
Bay County Bar  
Association

**Linda Anderson  
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Incoming Director  
ABA-YLD Disaster  
Legal Services Program

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Executive Director  
Palm Beach County Bar  
Association

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***How to Plan for Disasters and Assist your Community in  
Recovery***

# The ABA's Role in Disasters

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The YLD's DLS Program is the ABA's touchstone public service program

YLD serves as the exclusive coordinator of legal services for disaster survivors

Coordination exists between the ABA, FEMA, and numerous legal and non-legal agencies



# Disaster Legal Services

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Provides FREE legal assistance to “low-income” persons affected by a presidentially declared major disaster

Volunteers assist with a wide range of legal issues

Needs are both immediate and long-term



# DLS Eligibility

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Provided to those who have “**insufficient resources** to secure adequate legal services”

Err on the side of inclusion and not exclusion

Very relaxed compared to LSC / legal aid eligibility

*See* 44 CFR 206.164(a)

Fee generating cases prohibited



# Tips and Tricks

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## Lessons Learned From a Disaster Recovery Program Management View



# Immediately After a Disaster

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Learn how FEMA/DLS will be implemented

- Location of shelters and DRCs
- Available services

Plan for contingencies

- Internet service
- Technology issues

Be aware of deadlines

- Disaster unemployment deadlines are very short
- Application/Appeals generally longer (60 days)



# Manage Expectations

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## Understand FEMA's role in disasters

- Lends support to the local government
- Helps with recovery, not making you whole

## It is a bureaucratic system

- Don't give up, empower survivors to keep going
- A legal pep talk can help survivors who may be overwhelmed or too depressed to help themselves
- Getting nowhere with someone over the phone, hang up and call back.

## Financial assistance may flow slowly

## Survivors don't appreciate legal issues

- Explain options to survivors





# Contemporaneous Documentation

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## Written

- E.g., home inspections: document who you spoke with, their contact information, how long the inspection took, questions they asked, statements made, etc.

## Photographic

- Especially helpful for damaged/destroyed items that are thrown out



# Think Outside of the Box

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## Create a system to informally resolve disputes

- May be helpful for minor issues if the courts are closed or the access is limited
- May be quicker than a formal legal proceeding
- This was done in many Landlord/Tenant cases in the USVI

## Circumventing the appeal process

- Work with the inspectors and advocate directly with those individuals which may eliminate the need to appeal



# Advertising Legal Services

*Have an outreach tool kit ready to deploy!*

## PR Issues

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- Media follows large disasters.
- Smaller disasters quickly fade in the media.

## Lack of Calls to the Hotline...

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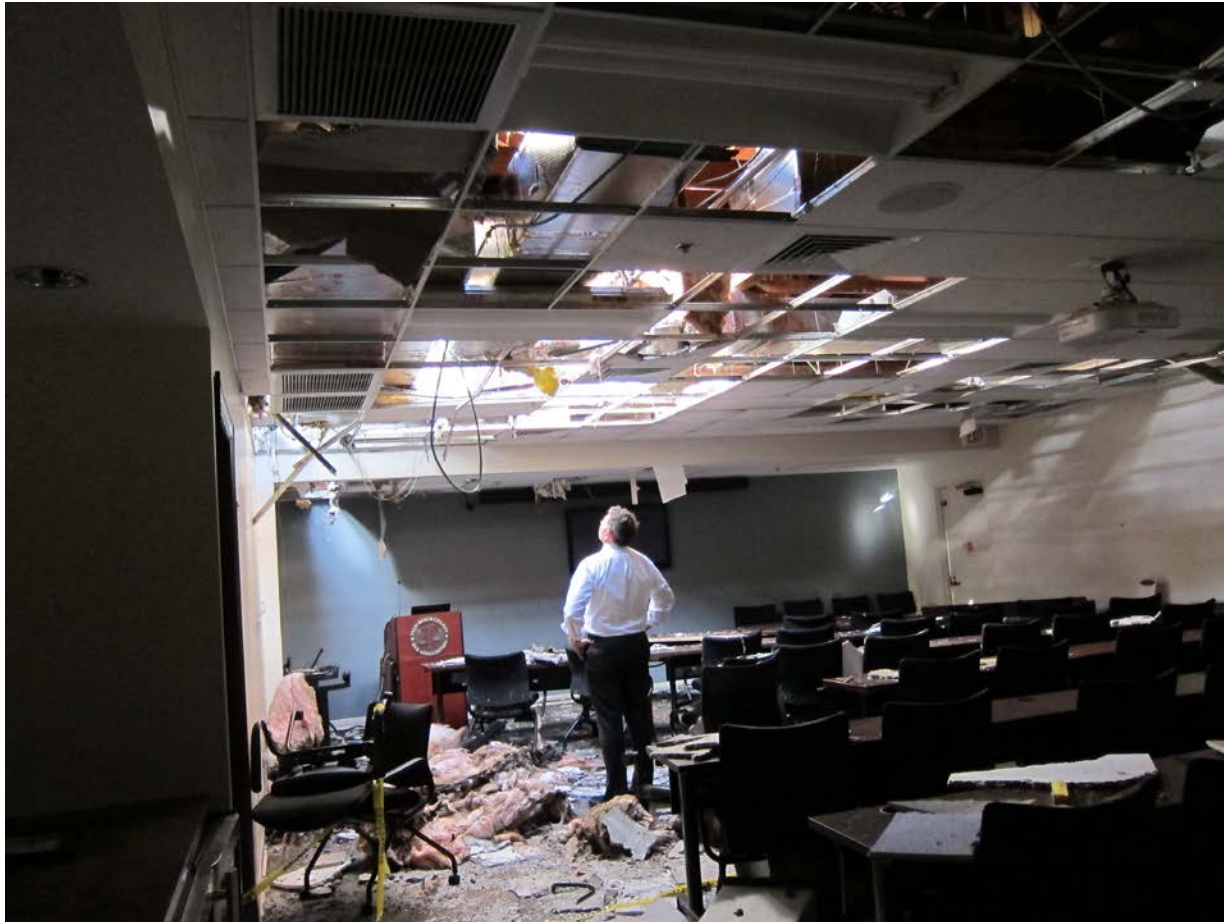
- Well thought out service model but still no calls...
  - Smaller scale disasters fewer calls
  - Survivors still not calling → Barriers to assistance



# Pre-Disaster Partnerships

- Create good partnerships locally pre disaster
- Get to know the key players
- Talk early and often

# Disaster Strikes Your Bar Association



Tips from a Bar Association  
Management Point of View

Are you prepared?

# Questions Bar Leaders should be prepared to answer if disaster strikes?

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- 1) Do I understand my network?
- 2) How will we handle our daily operations?
- 3) Do we have enough insurance coverage?

# Lessons Learned

*View from a Hurricane Michael Survivor*

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WHAT I WISH I KNEW ON OCTOBER 9, 2018



## Lessons Learned....

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1. Leave.
2. Your patience will be greatly tested.
3. It takes a very long time to get back to pre-storm status.
4. The first mouse gets the trap, the second mouse gets the cheese.
5. Have a battery powered radio.
6. Tarps, tarps, and more tarps.



## Lessons Learned....

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7. I the Florida CFO's office with insurance problems - 1-877-MY-FL-CFO
8. Check out the Consumer Guides on the CFO's website on homeowners insurance and AOBs.
9. Mitigate the loss, but don't over do it.
10. Be very careful what you sign.
11. Use extreme caution when asked to sign an AOB.
12. Take lots and lots of pictures both before and after the storm.

## Lessons Learned....

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13. Request a certified copy of your policy.
14. For extra credit, read the Florida endorsement.
15. Make sure you have enough coverage to replace your property.
16. Be suspicious of outsiders.
17. Take a trip to regain your sanity.
18. Prices for housing and building supplies will skyrocket.
19. Your insurance adjuster may get under your skin, but so will your mortgage company

# Questions

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