

BATTEN DOWN THE HATCHES

Disaster
Preparation and
Resources

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Legal Aid of Northwest Texas

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Legal Aid of NorthWest Texas



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About Legal Aid

Legal Aid of NorthWest Texas (LANWT) provides free legal assistance to low-income residents who meet eligibility guidelines.

LANWT has offices throughout north Texas serving 114 counties

Some things LANWT, TRLA, and LSLA can assist people with after a disaster are:

- Filing insurance claims and FEMA appeals
- Assisting with landlord-tenant issues
- Understanding contracts
- Replacing lost documents
- Obtaining government assistance

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A LAWYER?

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01. WHAT'S A DISASTER?

“a sudden calamitous event bringing great damage”

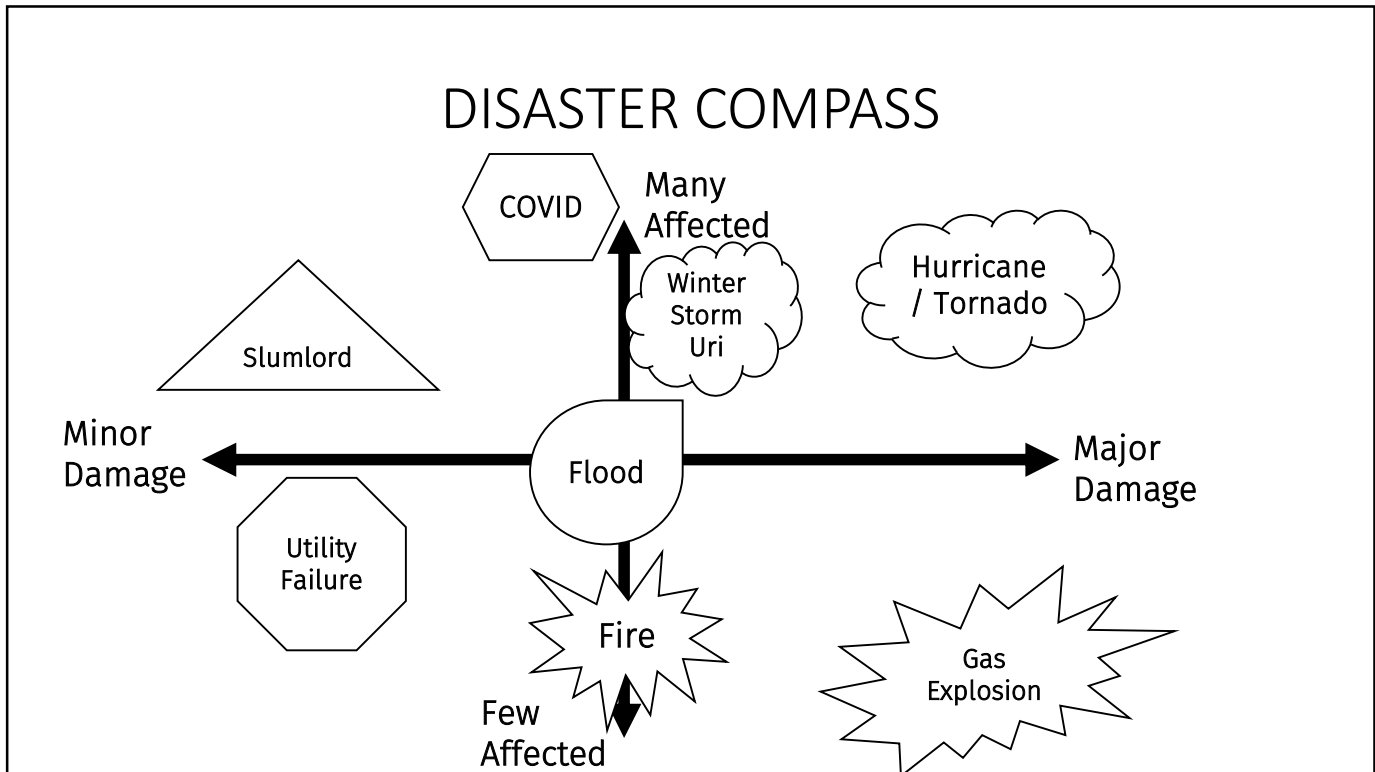
—Webster’s New Collegiate Dictionary

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DISASTER

- In the case of the court, this definition implies damage to the facilities: flooding, loss of power, structural or smoke damage, computer downtime, loss of communications, etc., all of which in turn affect mandated court processes.
- In the same way, disasters of all have radical effects on peoples’ lives, and their complicated nature makes obtaining justice more difficult.
- To this definition we can now add “ on-going public health crisis”.
- Local, State, and Federal Governments must declare a disaster to utilize funds and programs at their respective levels.

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02.

HOW CAN JUSTICE
COURTS PREPARE FOR A
DISASTER?

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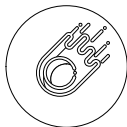
Courts are Unique

The needs and functions of a court are **unique and complex**, especially during (and after) a disaster.

- Court operations are essential to an orderly society. **An extended disruption** in court business **can have disastrous consequences**.
- Because statutes and court rules set time limits for many court actions, **delay is the court's enemy**.
- Disaster or not, **a court must continue to support local justice** systems by holding mandated hearings, issuing warrants and court orders, enforcing emergency orders, etc.

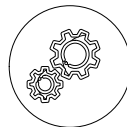
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Disaster Planning: Strategic Goals



Health and Safety

We must deal with crises in a way that protects the health and safety of everyone at the



Keep the Courts Open

Ensure justice for the people.



Support Victims

Prepare to educate and accommodate struggling victims.

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Plan, Prepare, & Prevail...

Establish a Planning Team and Point Person

- Consider the role of the court's judicial leadership and senior court managers.
- The role of Disaster Team Coordinator is reserved for the person in charge of coordinating planning aspects of the disaster recovery process, with authority vested from court leadership.
- Team members from county management, the clerk of court's office, the management information systems department, judicial staff, court security, facilities management, the library, and local bar.

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Plan, Prepare, & Prevail...

Decision Making

- Roles may be shared, with primary roles for the presiding judge, clerk and court administrator working in concert with local government, state court leadership and emergency management.
- The plan should establish clear boundaries about who is responsible for which decisions during a disaster.

Essential Functions

- Identify the court's critical services and the physical and personnel resources needed to perform them.

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Plan, Prepare, & Prevail... Communications

Create a Disaster Response Team Contact Members should include:

List including:

- Name
- Title
- Office Phone
- Home Phone (confidential list)
- Group Communication App
- Disaster Team Coordinator
- Presiding Judge
- Court Administrator
- Court Manager
- Facility/Security Coordinator
- Computer (IT) Coordinator
- Public Information Officer
- Emergency Services Manager

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Plan, Prepare, & Prevail...

Securing Facilities

- Planning will address alternative locations for the court to conduct business.

Remote Operations

- Invest in technology for remote proceedings
- Multiple formats: both video and phone options
- Be conscious that not all pro se litigants will have access to tech

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Plan, Prepare, & Prevail... Communications

Spread the Word! Let the public know how the court is operating.

- **Court website**
- News media
- Libraries
- Local radio stations
- Social Media
- **Local Organization Outreach**
- **Parties to upcoming Court Dates**

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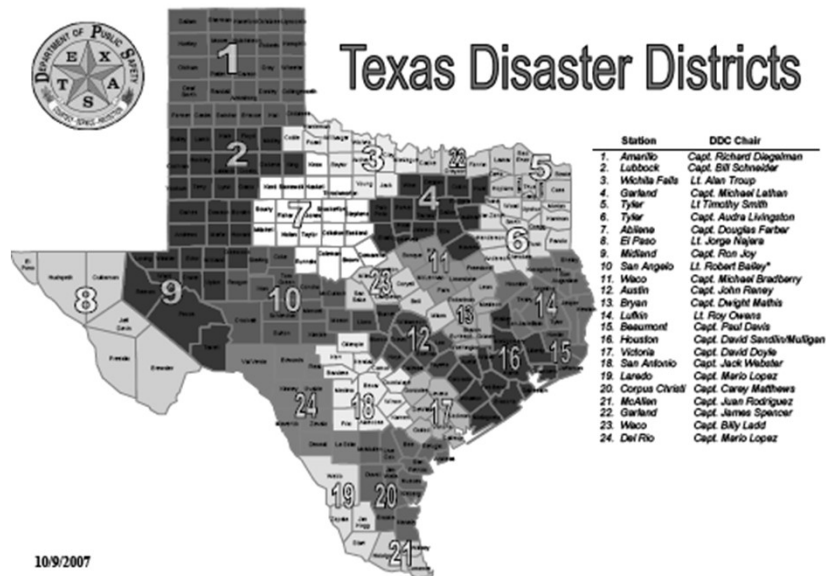
Discussion Activity-5 Minutes

Who has had virtual proceedings in response to COVID?

What are the biggest challenges you see in virtual proceedings? What are the best things to come out of virtual proceedings? Nominate a spokesperson for your table to describe your results.

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Disaster Districts



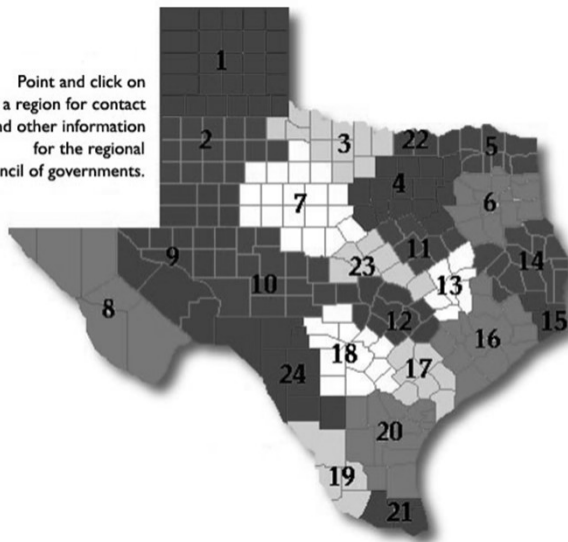
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COG Regions

Regions

Point and click on a region for contact and other information for the regional council of governments.



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<u>Region Name</u>	<u>Number</u>	<u>Abbreviation</u>	<u>www.</u>	
Alamo Area Council of Governments	18	AACOG	www.aacog.com	
Ark-Tex Council of Governments	5	ARK-TEX	www.atcog.org	
Brazos Valley Council of Governments	13	BVCOG	www.bvcog.org	
Capital Area Council of Governments	12	CAPCOG	www.capcog.org	
Central Texas Council of Governments	23	CTCOG	www.ctcog.org	
Coastal Bend Council of Governments	20	CBCOG	cbcog98.org	
Concho Valley Council of Governments	10	CVCOG	www.cvcog.org	
Deep East Texas Council of Governments	14	DETCOG	www.detcog.org	
East Texas Council of Governments	6	ETCOG	www.etcog.org	
Golden Crescent Regional Planning Commission	17	GCRPC	www.gcrpc.org	
Heart of Texas Council of Governments	11	HOTCOG	www.hotcog.org	
Houston-Galveston Area Council	16	H-GAC	www.h-gac.com	
Lower Rio Grande Valley Development Council	21	LRGVDC	www.lrgvdc.org	
Middle Rio Grande Development Council	24	MRGDC	www.mrgdc.org	
Nortex Regional Planning Commission	3	NORTEX	www.nortexrpc.org	
North Central Texas Council of Governments	4	NCTCOG	www.nctcog.dst.tx.us	
Panhandle Regional Planning Commission	1	PRPC	www.prpc.cog.tx.us	
Permian Basin Regional Planning Commission	9	PBRPC	www.pbrpc.org	
Rio Grande Council of Governments	8	RGCOG	www.riocog.org	
South East Texas Regional Planning Commission	15	SETRPC	www.setrpc.org	
South Plains Association of Governments	2	SPAG	www.spag.org	
South Texas Development Council	19	STDC	www.stdc.cog.tx.us	
Texoma Council of Governments	22	TEXOMA	www.texoma.cog.tx.us	
West Central Texas Council of Governments	7	WCTCOG	www.wctcog.org	

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OUTREACH TO LOCAL ORGANIZATIONS

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Discussion Activity-10 Minutes

Who are the helpers in your community? Take a minute to discuss with your table who your locals relied on after a disaster or during hard times. What are the common links and what is unique to your area?

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DEVELOP A
RESOURCE
LIBRARY

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Plan, Prepare, Prevail... Resource Library

Using your outreach efforts, develop a publically accessible library including information on resources:

- Food
- Legal Assistance
- Emergency Housing
- Benefits Assistance
- Tenants Rights
- Any relevant self-help information

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Plan, Prepare, Prevail... Resource Library

Ultimately, a good resource library is:

- **Clear and Simple**
- **Easy to Use**
- **Comprehensive**
- **Directly Helpful**

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Clear and Simple

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Clear and Simple

**RESOURCE MATERIALS FOR
RESPONDING TO LEGAL QUESTIONS
FROM THOSE AFFECTED BY DISASTERS**



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Discussion Activity-5 Minutes

At your tables, make a list of the resources that you regularly refer people to in your court. Nominate a spokesperson for your table to describe your results.

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03.

WHY DO DISASTER VICTIMS NEED A LAWYER?

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Short Term

- Landlord/Tenant Problems
- Insurance Claims Filing
- FEMA Application
- SBA Disaster Loans
- Lost ID Documents
- Update Benefits
- Wage/Labor Theft

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Medium Term

- | | |
|-----------------------------------------|---------------------------------|
| • Landlord/Tenant | • Guardianships |
| • Eviction/Lease Termination | • Emergency Conservatorships |
| • Repairs | • Parenting Order Modifications |
| • Utility Shutoffs | • FEMA Application Appeals |
| • Security Deposit | • Estate Planning Documents |
| • Mass Displacement | • Domestic Violence Response |
| • Housing Assistance | |
| • Clearing Property Title | |
| • Insurance Claim Disputes | |
| • Scams | |
| • Powers of Attorney for Family Members | |

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Long Term

- Foreclosure
- Landlord/Tenant Issues
- Bankruptcy
- Flood Insurance Proof of Loss
- FEMA appeals
- Defend FEMA Recoup
- Disaster Tax Relief
- Civil/Disability Cases
- Neighborhood Reconstruction Planning
- Litigation for systemic redress
- Flood Plain Zoning/Certification
- Significant Damage Disputes

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04.

WHY ARE DISASTER
VICTIMS AT THE JUSTICE
COURT?

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Discussion Activity-5 Minutes

Work with your tables: What are the cases you will likely see after a disaster in your court? Are there ways you can prepare for those cases now? Nominate a spokesperson for your table to describe your results.

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JUSTICE COURT JURISDICTION



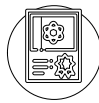
Landlord/Tenant

- Eviction
- Lockouts
- Utility Shutoff
- Rent Dispute
- Lease Termination



Repair

- Contractor Dispute
- Landlord Dispute



Finance

- Insurance
- Wage Recovery

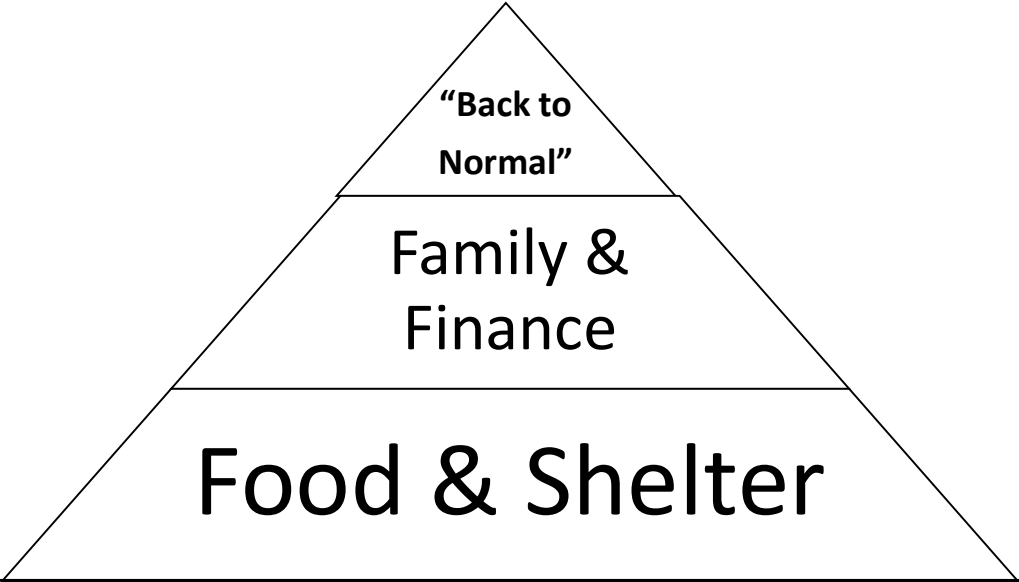
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05.

WHAT DO VICTIMS NEED?

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Hierarchy of Need



**"Back to
Normal"**

**Family &
Finance**

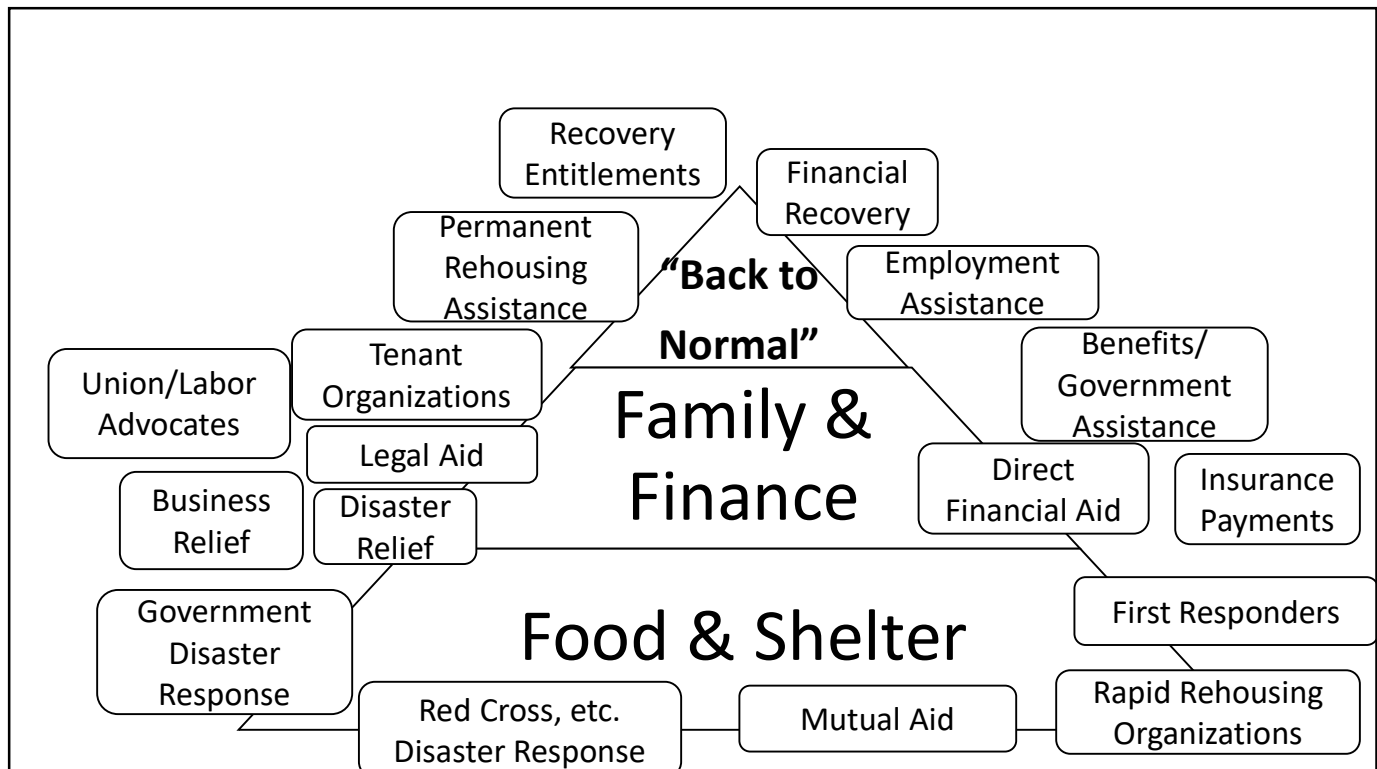
Food & Shelter

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06.

WHAT RESOURCES ARE AVAILABLE TO VICTIMS?

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FEMA

If FEMA declares an event a disaster, resources are freed up to help victims.

- In the case of a disaster, there will be a locally designated **Disaster Recovery Center (DRC)** which can process victims needs.
- FEMA's website has easy to use links, applications, and help lines. www.fema.gov
- Legal Aid can help people apply and appeal for FEMA benefits.
- Make sure to keep a FEMA brochure in your resource library.

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07.

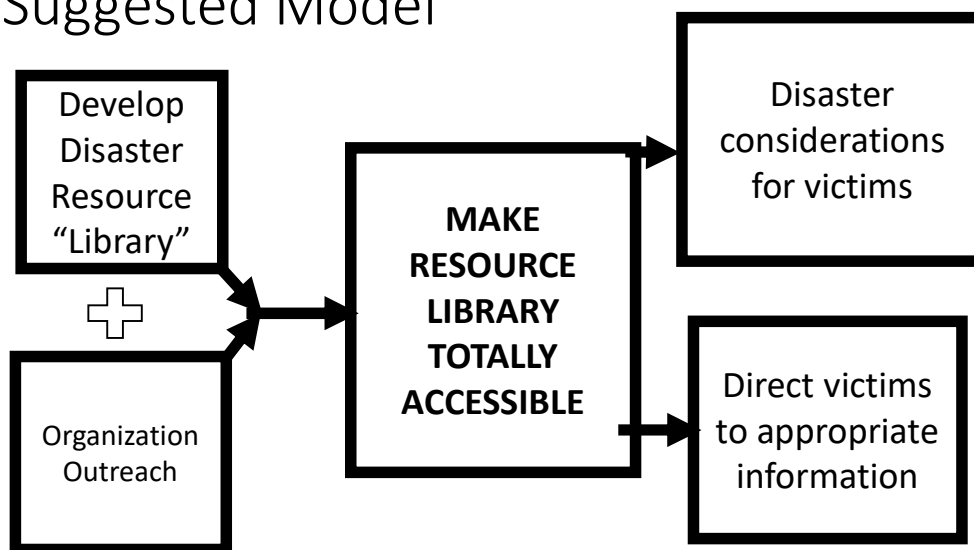
HOW CAN JUSTICE COURT CLERKS HELP?

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Clerks CAN connect victims to resources

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Justice Court Self-Help Strategy: Suggested Model



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Reliable Sources

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08.

Summary

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HOW CAN JUSTICE COURTS PREPARE FOR A DISASTER?

- Develop a **strategic plan**
- Have a point person: a **Disaster Coordinator**
- Create a **Disaster Response Team**
- **Connect** with local government and nonprofits
- Build a **Resource Library**
- **Outreach**: Communicate with the public

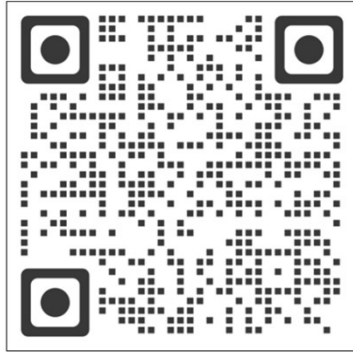
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WHAT RESOURCES ARE AVAILABLE?

- **Local** disaster response resources are the most available and accessible
- **FEMA** if applicable
- Local Charities, **Non-Profits**, and Mutual Aid
- Direct financial aid
- **Legal Aid**
- Insurance
- Tenants Rights Materials

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Resources



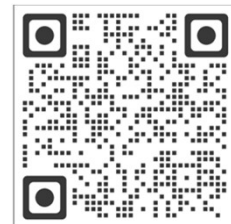
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