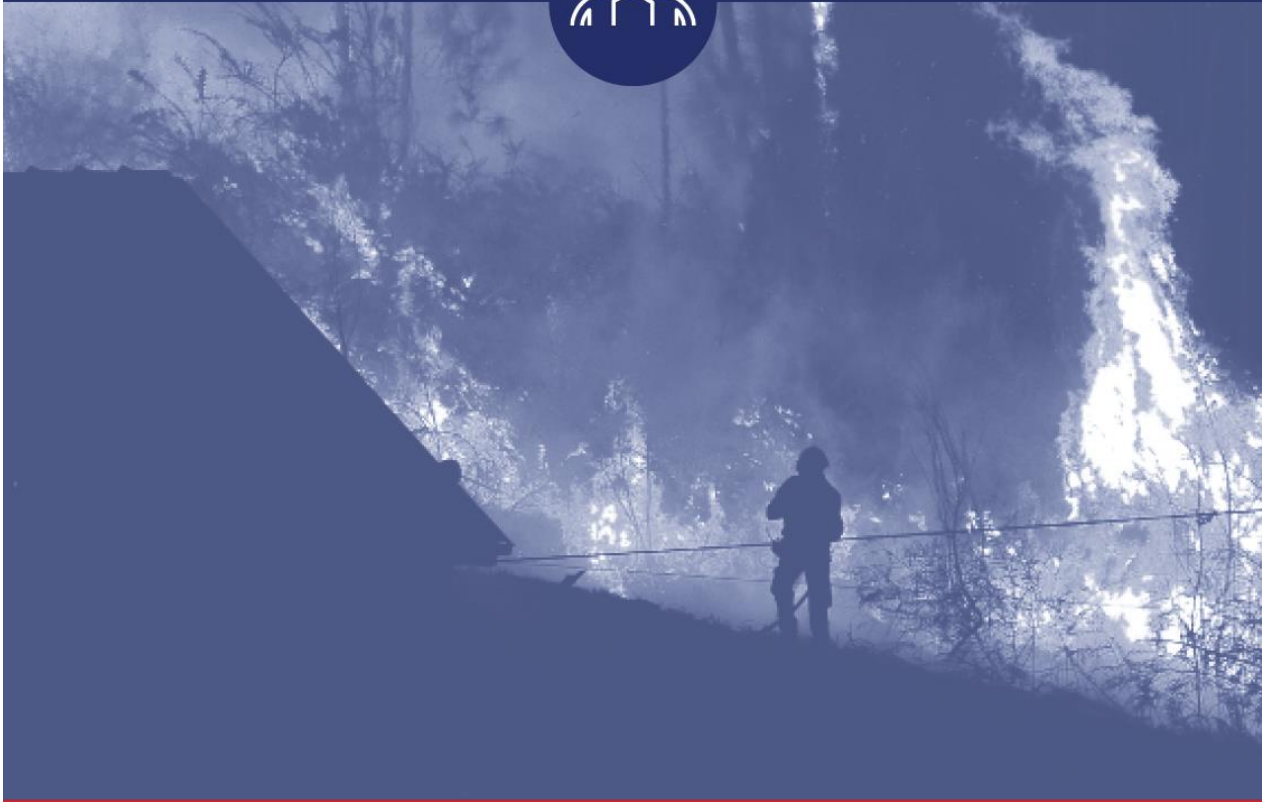


Relationship Building With Other Organizations

GUIDE FOR ATTORNEYS
November 2022



LADRC.org



Legal Aid Disaster
Resource Center

I.	The Role of Federal, Local, and State Government	1
a.	The Relationship between Each Level of Government.....	1
b.	The Federal Government.....	2
c.	State and Local Government.....	3
II.	The Role of Community Organization	3
a.	VOADs and COADs.....	3
b.	Long Term Recovery Groups	4
c.	Voluntary Agency Liaisons: FEMA’s Role in Working with the Community	5
III.	The Role of Charitable Organizations	5
a.	Legal Aid Organizations.....	6
b.	Law Schools.....	6
c.	Bar Associations	6
d.	ABA Young Lawyers Division Disaster Legal Services Program (ABA YLD DLS) 7	

There are a number of organizations that can support your client’s recovery from a disaster. This section provides an overview of national and state specific organizations that address disasters. Depending on how your client has been affected, different organizations may be able to provide services that fit their needs.

It is important for legal aid organizations to understand the landscape of disaster management work and the types of organizations that play a role in responding to disasters. Disaster survivors may need help with a variety challenges, and may not know where to turn. Knowing what organizations serve your community and how to contact them will enable you to guide your client.

I. The Role of Federal, Local, and State Government

a. The Relationship between Each Level of Government

Disasters occur at the local level, so disaster management follows a bottom up approach. “The most effective disaster response and recovery efforts are locally developed and executed, state/tribal/territorially managed, and federally supported.”¹ Local governments take the lead on preparing their communities for disasters and on responding to disasters when they occur.² When a locality is not able to effectively respond to a disaster because of a lack of resources or personnel, or other factors, state and non-governmental resources can support the local community.³

When the state is overwhelmed by a disaster, the governor can request federal assistance if the disaster meets the requisite criteria. The governor does this by requesting that the President make a

¹ Recovery Through Federal-State-Local Partnership, White House Office of Intergovernmental Affairs at 2 (Dec. 2018), available at <https://www.whitehouse.gov/wp-content/uploads/2019/03/DisasterRecovery.pdf>.

² Id.

³ Id.



federal disaster declaration.⁴ A federal disaster declaration is a statement by the president, based on information from local government officials, that a disaster has occurred and that the state or locality affected cannot adequately respond to the disaster without additional resources.⁵ A federal disaster declaration triggers financial and physical assistance by the federal government through the Federal Emergency Management Agency (“FEMA”).⁶

A request for a disaster declaration is appropriate if “the situation is of such severity and magnitude that effective response is beyond the capabilities of the state and the affected local governments and that Federal assistance is necessary.”⁷ The governor’s request must be supported by findings that the disaster “[r]equires supplementary Federal emergency assistance to save lives and to protect property, public health and safety, or to lessen or avert the threat of a disaster.”⁸ Even when the federal government assists with disaster response, the state and local governments still take the lead. The state governor “define[s] the type and extent of Federal aid required.”⁹

b. The Federal Government

At the national level, disasters are addressed by FEMA. FEMA coordinates the federal government’s role in preparing for, responding to, and recovering from disasters.¹⁰ FEMA responds to both natural and man-made disasters.¹¹ When a governor requests a federal disaster declaration, the state can request three categories of FEMA assistance. FEMA’s Public Assistance Program provides grants to state and local governments and some non-profit entities for “debris removal, life-saving emergency protective measures, and the repair, replacement, or restoration of disaster-damaged publicly-owned facilities.”¹² FEMA’s Individual Assistance Programs “help individuals and households with housing, personal property losses, transportation, medical, dental, and funeral costs, childcare expenses, and more.”¹³ If Individual Assistance is requested by the governor and approved by the President, individuals in the affected locality can register for assistance directly with FEMA.¹⁴ Finally, FEMA’s Hazard Mitigation Grant Program provides grants for work “[d]esigned to reduce future losses to public and private property.”¹⁵

⁴ Id.

⁵ 42 U.S.C. § 5170(a).

⁶ About the Agency: Statutory Authority, FEMA, available at <https://www.fema.gov/about-agency>.

⁷ 42 U.S.C. § 5170(a).

⁸ 44 C.F.R. § 206.35(b)(2).

⁹ 42 U.S.C. § 5191(a).

¹⁰ About the Agency: History, FEMA, available at <https://www.fema.gov/about-agency>.

¹¹ Id.

¹² Recovery Through Federal-State-Local Partnership, White House Office of Intergovernmental Affairs at 4 (Dec. 2018), available at <https://www.whitehouse.gov/wp-content/uploads/2019/03/DisasterRecovery.pdf>.

¹³ Id.

¹⁴ Id.

¹⁵ Id.



In addition to FEMA, other federal agencies assist in disaster relief. For example, the U.S. Department of Agriculture (“USDA”) provides various forms of relief to farmers¹⁶ and provides food assistance to low income people and families affected by natural disasters through the Disaster Supplemental Nutrition Assistance Program (“D-SNAP”).¹⁷ The U.S. Department of Housing and Urban Development (“HUD”) provides mortgage assistance and funds to pay hazard insurance deductibles to affected homeowners.¹⁸ The U.S. Department of Home and Human Services (“DHHS”) works to prevent, prepare for, and respond to adverse health effects caused by public health emergencies and disasters.¹⁹

c. State and Local Government

At the state and local level, Offices of Emergency Management or Emergency Management Agencies are counterparts to FEMA. Each state, county, and city is different, so they do not all organize their disaster response the same way. However, each state has an Office of Emergency Management or equivalent to respond to disasters, and many localities have offices of their own. These offices coordinate disaster response and recovery throughout their region, and provide information about a current disaster.

II. The Role of Community Organization

Disaster relief is not limited to federal, state, local and tribal governments, but it is also provided by faith-based, community-based, and non-profit organizations within affected communities.

a. VOADs and COADs

Voluntary Organizations Active in Disaster (“VOAD”) are coalitions of faith-based, community-based, and non-profit voluntary organizations that play a role in disaster preparedness, response, or recovery.²⁰ Voluntary organizations are organizations that choose to participate in disaster preparedness, response, recovery, or mitigation; they may or may not utilize volunteers.²¹ VOADs are formed at the local, state, and national level.²² VOADs aim to help communities make the best use of

¹⁶ Id. at 6.

¹⁷ Disaster Supplemental Nutrition Assistance, DisasterAssistance.gov, available <https://www.disasterassistance.gov/get-assistance/forms-of-assistance/5769>.

¹⁸ Recovery Through Federal-State-Local Partnership, White House Office of Intergovernmental Affairs at 8-9 (Dec. 2018), available at <https://www.whitehouse.gov/wp-content/uploads/2019/03/DisasterRecovery.pdf>.

¹⁹ Emergency Preparedness & Response, U.S. Department of Health and Human Services, available at <https://www.hhs.gov/programs/emergency-preparedness/index.html>.

²⁰ The Role of the Voluntary Agency Liaison in Community Planning and Capacity Building, FEMA (Sept. 2012), available at http://www.airs.org/files/public/Dallas2015/AIRS_Conference2015_Disaster_LongTermRecoveryPartnerships_FEMA_VAL.pdf. The term VOAD can be used to refer to the coalition or to a member Voluntary Organization of a coalition.

²¹ VOAD v. COAD, Riverside County Voluntary Organizations Active in Disaster, available at <https://sites.google.com/site/voadriversidecounty/about/voad-vs-coad>.

²² Id.



their resources in a disaster by facilitating relationships between organizations before a disaster occurs.²³ VOADs do not provide direct services, their members do.²⁴

National Voluntary Organizations Active in Disaster (“National VOAD”) is a coalition of both national organizations and state/territorial VOADs.²⁵ National VOAD serves as a forum for sharing knowledge and coordinating resources among disaster response organizations.²⁶ National VOAD also facilitates partnerships between three key providers of disaster relief to better address disasters by ensuring that all sectors of society work together.²⁷ These providers are (1) faith-based, community-based, and non-profit disaster relief organizations; (2) federal, state, and local emergency management and governmental agencies; and (3) for-profit corporations, foundations, and educational and research institutions.²⁸

Similar to VOADs, Community Organizations Active in Disaster (“COAD”) are analogous to VOADs, but are more localized, typically serving one county.²⁹ However, the terms VOAD and COAD are often used interchangeably.³⁰ Some county level coalitions elect to use the term VOAD.³¹

b. Long Term Recovery Groups

A Long Term Recovery Group (“LTRG”) is a “cooperative body consisting of representatives from voluntary, faith-based, and community based organizations, government agencies, the private sector, schools, foundations, and others who work together within a community to assist individuals and households recovering from a disaster.”³² Each LTRG is different because it forms around “local needs, available resources, cultural diversity, leadership style, and community support.”³³ An LTRG may refer to itself as a “Long Term Recovery Committee,” a “recovery coalition,” an “unmet needs committee,” or a “community roundtable.”

For example, the Los Angeles Woolsey Fire Long Term Recovery Group (“Woolsey Fire LRTG”) was created to address the November 2018 Woolsey Fire.³⁴ The Woolsey Fire LRTG organized a

²³ Id.

²⁴ Id.

²⁵ About Us, National Voluntary Organizations Active in Disaster, available at <https://www.nvoad.org/about-us/>.

²⁶ Id.

²⁷ Id.

²⁸ Id.

²⁹ VOAD v. COAD, Riverside County Voluntary Organizations Active in Disaster, available at <https://sites.google.com/site/voadriversidecounty/about/voad-vs-coad>.

³⁰ Id.

³¹ Id.

³² The Role of the Voluntary Agency Liaison in Community Planning and Capacity Building, FEMA (Sept. 2012), available at http://www.airs.org/files/public/Dallas2015/AIRS_Conference2015_Disaster_LongTermRecoveryPartnerships_FEMA_VAL.pdf.

³³ Id.

³⁴ Woolsey Fire Recovery, Los Angeles Region Community Recovery Organization, available at <https://larcro.org/woolsey>.



community needs assessment to identify unmet needs and asked individuals from the community to take the survey. The Woolsey Fire LRTG provided disaster case managers to qualifying survivors, who could guide survivors through the recovery process. Additionally, the Woolsey Fire LRTG created a resource list with descriptions of and contact information for the organizations.

c. Voluntary Agency Liaisons: FEMA's Role in Working with the Community

In addition to coordinating the federal government's response to disasters, FEMA employs Voluntary Agency Liaisons ("VALs") to interact directly with community organizations. VALs build relationships among federal, state and tribal governments and voluntary, faith-based, and community-based organizations in order to coordinate disaster preparedness and response.³⁵ VALs provide information and guidance to voluntary organizations and reports to FEMA and other government agencies on the programs provided by voluntary organizations.³⁶ You can contact the VAL assigned to your client's region and subscribe to FEMA VAL community emails at VAL-Team@fema.dhs.gov.³⁷

III. The Role of Charitable Organizations

Charitable organizations also provide disaster relief services and resources. Some of the most active charities that responds to disasters throughout the U.S. are the American Red Cross and United Way.³⁸

The American Red Cross aims to "meet the immediate disaster-caused needs of individuals, families, and communities."³⁹ The American Red Cross provides services including opening shelters, serving meals, and providing relief items, like clothes and personal care items.⁴⁰ The organization also provides emergency financial assistance immediately after a disaster and grants for community based recovery services.⁴¹ The American Red Cross tailors its response to each disaster. To find out how your client may receive assistance, check the disaster relief page of their website for disaster specific information: <https://www.redcross.org/about-us/our-work/disaster-relief.html>.

United Way "improves lives by mobilizing the caring power of communities around the world to advance the common good."⁴² United Way plays a key role in disaster recovery. They ensure that their

³⁵ The Role of the Voluntary Agency Liaison in Community Planning and Capacity Building, FEMA (Sept. 2012), available at http://www.airs.org/files/public/Dallas2015/AIRS_Conference2015_Disaster_LongTermRecoveryPartnerships_FEMA_VAL.pdf.

³⁶ Id.

³⁷ A map showing the VALs assigned to each FEMA Region can be found at <https://www.fema.gov/media-library/assets/documents/27631>.

³⁸ About Us: Disaster Relief, American Red Cross, available at <https://www.redcross.org/about-us/our-work/disaster-relief.html>.

³⁹ Id.

⁴⁰ Driving Through Disasters Big and Small, American Red Cross, available at <https://www.redcross.org/about-us/our-work/disaster-relief/driving-through-disasters-big-and-small.html>.

⁴¹ About Us: Disaster Relief, American Red Cross, available at <https://www.redcross.org/about-us/our-work/disaster-relief.html>.

⁴² Our Mission: United Way, available at <https://www.unitedway.org/our-impact/mission>.



first responders can act swiftly and lead long-term recovery. United Way's primary role in times of disaster is in long-term recovery.⁴³ To find out how your client may receive assistance, call 2-1-1 or check the disaster relief page of their website for disaster specific information:
<https://www.unitedway.org/contact-us>.

There are many other charitable organizations that respond to disasters on a local level. The best way to find out which charities are active in your client's state or locality is to check the membership page of the state or local VOAD.

IV. The Role of the Legal Profession

a. Legal Aid Organizations

Access to legal services can be invaluable to an individual or family's ability to recover from a disaster. Disaster survivors often face a range of legal issues from applying for new documentation to preventing unlawful evictions and foreclosures.⁴⁴ Legal Aid Organizations provide free legal services to low-income people, who are particularly vulnerable to disaster.⁴⁵

b. Law Schools

Law school faculty and students often volunteer their time to contribute to legal issues that arise during disaster response and recovery. Like Legal Aid Organizations, law schools can provide free legal services to those in need through pro bono programming or legal clinics. The services available during and after a disaster will depend on the programming of law schools in the community. Generally, law school clinics are heavily active after a disaster and assist with filing FEMA appeals for clients.

c. Bar Associations

Bar associations may provide resources and educational materials regarding disaster response to their members. For example, the American Bar Association Committee on Disaster Response and Preparedness offers CLE webinars and on-demand materials to educate members on the legal implications of disasters.⁴⁶ A state or local bar association's website can be a useful source for information on available resources. The state bar association, in conjunction with the ABA YLD DLS program and other legal aids, will typically host the disaster hotline for the state once a disaster declaration has been made.

⁴³ United Way Disaster Recovery, available at <https://www.unitedway.org/recovery>.

⁴⁴ The Role of Legal Aid in Disaster Recovery, Legal Services Corporation, available at <https://www.lsc.gov/media-center/publications/role-legal-aid-disaster-recovery>.

⁴⁵ Id.

⁴⁶ Committee on disaster Response and Preparedness, American Bar Association, available at <https://www.americanbar.org/groups/committees/disaster/>.



d. ABA Young Lawyers Division Disaster Legal Services Program (ABA YLD DLS)

The ABA YLD DLS provides free legal assistance to disaster survivors throughout the U.S. and its territories.⁴⁷ Through this program, disaster survivors can access “comprehensive civil legal services, such as pursuing claims against insurance companies, landlords, contractors, FEMA” as well as help “clear[ing] title to their homes, replace[ing] vital documents, and creat[ing] important documents such as wills, trusts, and powers of attorney.”⁴⁸ ABA YLD DLS assistance is available if the President has authorized Individual Assistance through FEMA and FEMA determines there is a need for ABA YLD DLS.⁴⁹ In the event that a Major Disaster Declaration which includes Individual Assistance is declared the ABA YLD DLS team is prepared to quickly assist in responding to the disaster.

⁴⁷ Andrew Jack VanSingel, *The Calm After the Storm: 45 Years of the ABA Young Lawyers Division’s Disaster Legal Services Program*, 35.3 *Touro L. Rev.* 1019, 1021 (2019).

⁴⁸ *Id.*

⁴⁹ *Id.* at 1022.

