

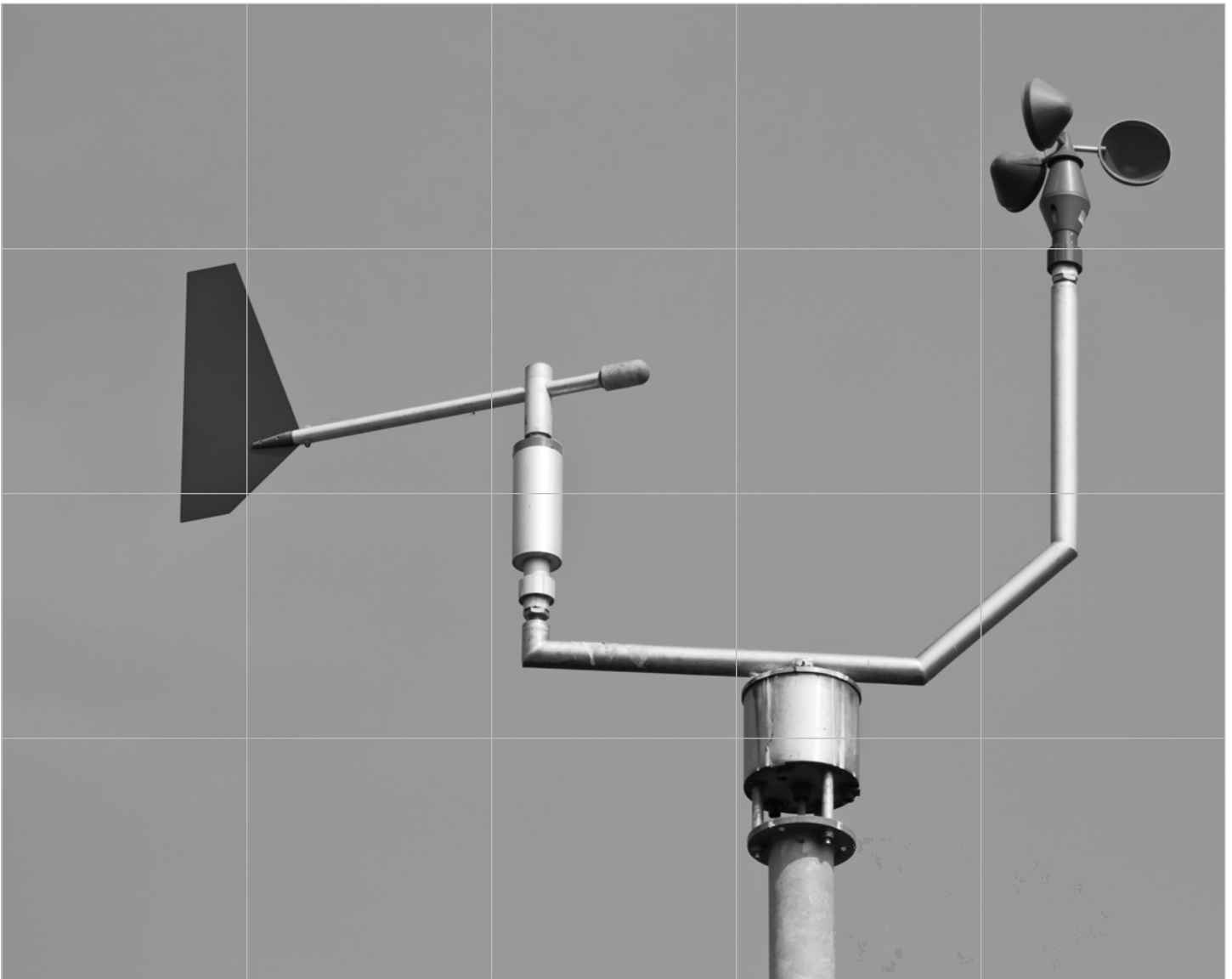
# **Pro Bono Net**

## NY/NJ Disaster Legal Network Report



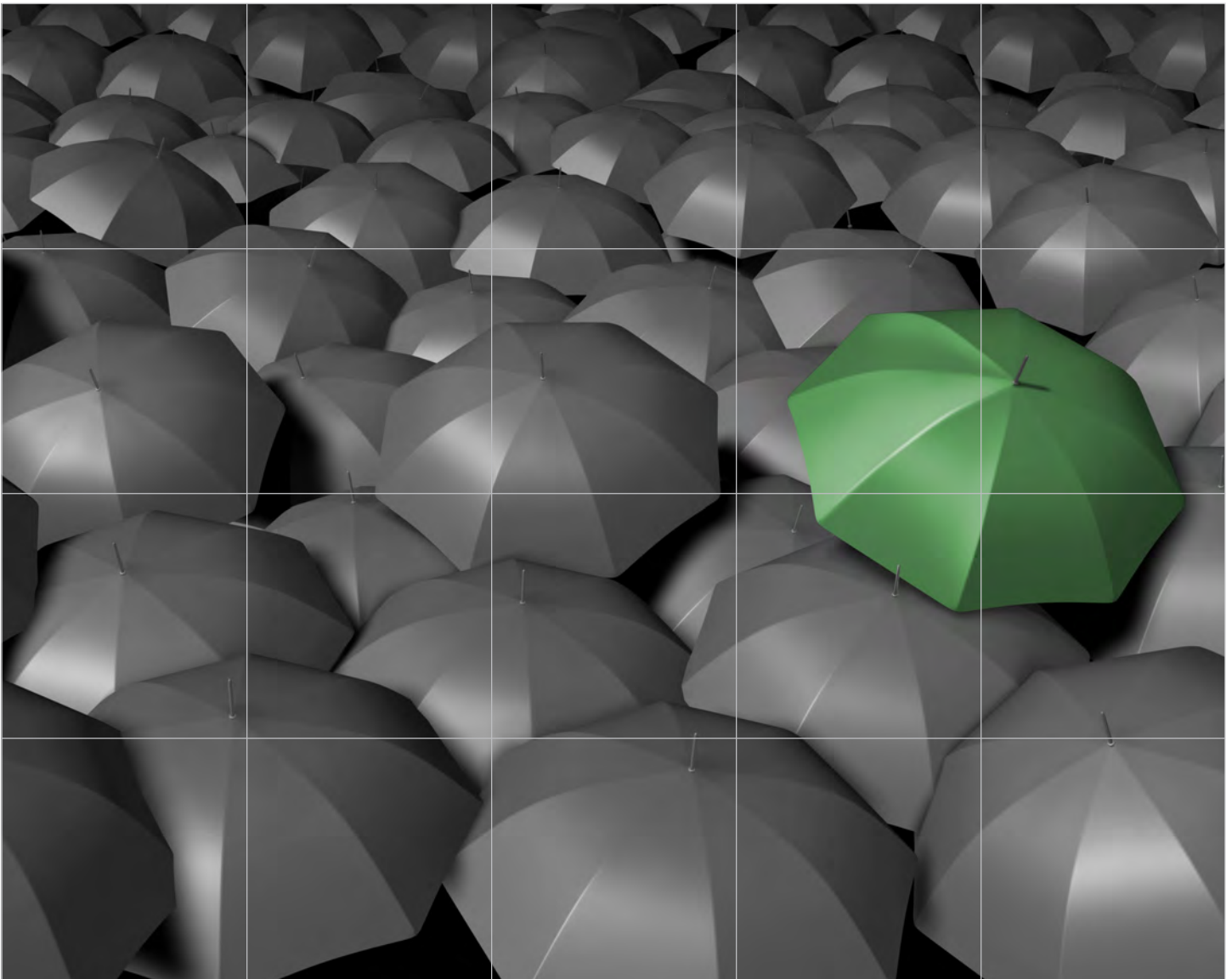
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# Table of Contents

Summary .....	2
Background .....	3
Survey Results .....	4
Focus Group Results .....	9
Reccommendations .....	10
Acknowledgements .....	10
Addendum: List of Participating Organizations.....	11

# Executive Summary

Pro Bono Net and partners from the legal community have been exploring the creation of a sustained disaster legal response network in New York and New Jersey that would build on successful post-Sandy collaboration.<sup>1</sup> The primary goals are to replicate the best practices developed and to improve coordination where possible. Following a kick-off reception in May 2014, Pro Bono Net initiated a survey and focus group meetings with stakeholders from law firms, corporations, legal services providers, law schools, and others to determine how such a network might function and what issues it should address.

Based upon the survey and focus group findings, we found a group consensus around the following proposals for Pro Bono Net and partners:

1. Maintenance of the Sandy listserv as a New York / New Jersey disaster legal response resource;
2. Identification of a small group of leaders in the legal community who will help sustain network efforts and solicit easily accessible and adaptable disaster-related resources to share on the NYC Pro Bono Center;
3. Hosting of annual or semi-annual meetings/receptions to share developments, best practices and refresh information;
4. Better integration of efforts with the National Disaster Legal Aid website ([DisasterLegalAid.org](http://DisasterLegalAid.org)); and
5. Creation of a New York/New Jersey Area Disaster Legal Services Network to carry forward this effort and solicit official recognition and buy-in from government agencies.

1. A list of organizations that participated in efforts to facilitate a collaborative legal response to Superstorm Sandy in New York and New Jersey is attached at Addendum 1.

# Background

Pro Bono Net has worked with legal aid organizations, law firms, pro bono attorneys, community organizations, government agencies and others to help coordinate legal assistance for the many low- and middle-income New York and New Jersey residents affected by Superstorm Sandy. In the aftermath of Sandy, the legal community successfully collaborated to deliver legal services and information and reach communities.

Legal Services NYC and the City Bar Justice Center joined Pro Bono Net in convening regular calls hosted by Weil to share knowledge and discuss cooperative response efforts. 73 organizations listed in the Addendum participated in the calls and the associated listserv. Organizations were able to work together and share information, trainings and resources to best serve clients. There were, however, missed opportunities that would have allowed for even more successful service delivery and better addressing of key legal issues.

In order to build on successful collaboration and capture best practices, Pro Bono Net has undertaken an effort to institutionalize a network for the delivery of disaster legal services in New York and New Jersey. We envision the network's mission as follows:

This network's is to institutionalize the successful collaboration of the legal community in New York and New Jersey around disaster legal services that took place after Superstorm Sandy. The network will not serve as an operating body, but rather will focus on helping organizations – whether legal service providers, law firms, law schools, or others – to support each other in our common interest of serving survivors of disasters by providing needed legal assistance. The network will aim to use existing infrastructure and staffing to encourage continued communication and preparedness for the inevitable next disaster that will require a collaborative legal response.

We helped organize a kick-off reception hosted by Weil that was attended by over 45 attorneys and advocates active in the New York and New Jersey Sandy legal response effort. Following the reception, we initiated a survey and a series of focus group meetings to glean lessons from the Sandy response and determine recommendations for the structure and function of a permanent network.

Pro Bono Net has also worked with partners, including Lone Star Legal Aid, the American Bar Association Standing Committee on Pro Bono and Public Service, the Legal Services Corporation, and the National Legal Aid and Defender Association, to re-launch [DisasterLegalAid.org](http://DisasterLegalAid.org) as a national resource center for disaster legal services with portals for people in need of help, legal services professionals and pro bono attorneys, and has also helped convene a National Advisory Group of disaster legal response experts. Both [DisasterLegalAid.org](http://DisasterLegalAid.org) and the National Advisory Group could serve as important resources for attorneys and advocates in New York and New Jersey in responding to the next disaster.

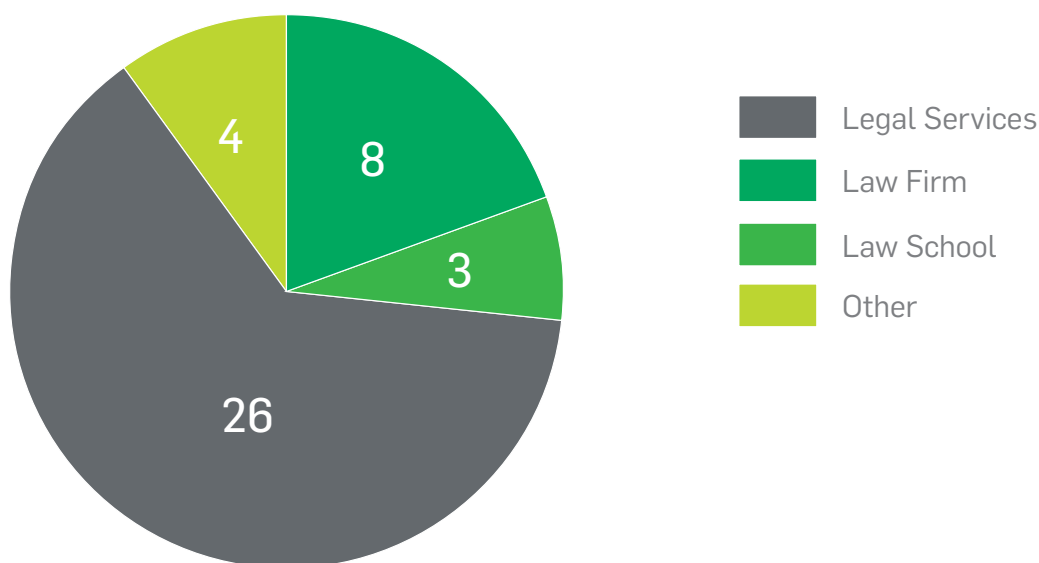
## Survey Results

Following the kick-off reception held in May, Pro Bono Net invited attendees to complete a survey. The survey asked about successes and failures of the Sandy legal response effort, as well as the utilization of different initiatives and ideas for a permanent network.

### Responses

41 members of the New York/New Jersey disaster legal response community completed the survey, predominantly from legal services but also from law firms, law schools, corporations and non-profits:

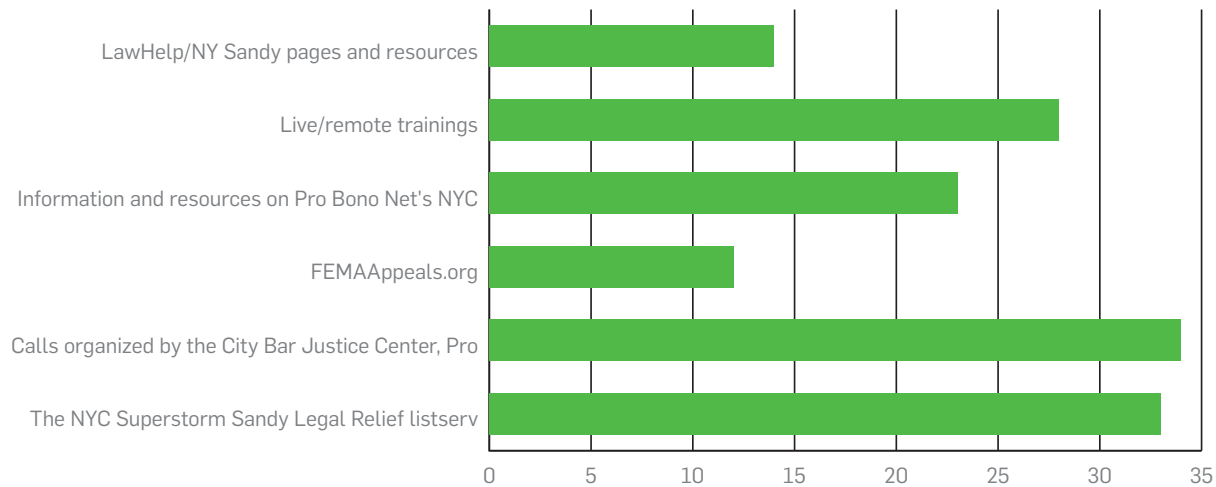
#### Respondents by Type



### Most-Used Resources

Most respondents noted that, as part of their Sandy response efforts, they utilized the NYC Superstorm Sandy Legal Relief listserv hosted by Pro Bono Net as well as calls organized by the City Bar Justice Center, Pro Bono Net and Legal Services NYC. Resources and trainings shared via Pro Bono Net infrastructure also proved popular with respondents. The FEMA Appeals tool enjoyed less usage than other tools and resources, but it was also specialized and thus not as widely applicable as other options:

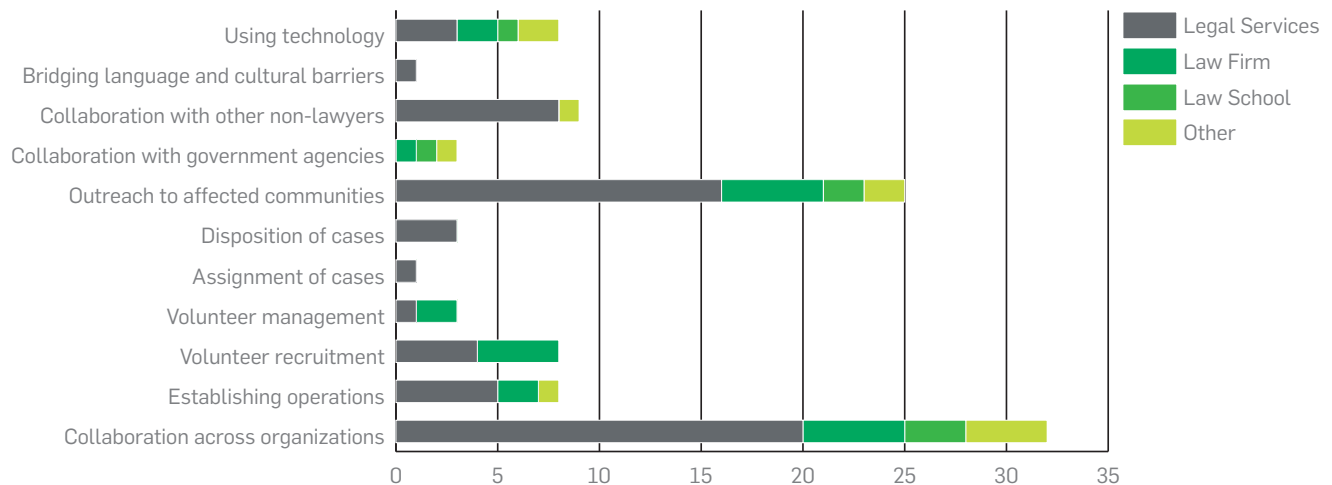
### Which, if any, of the following did you use/participate in as part of your Sandy reponse efforts?



### Most Successful Aspects of Response

When asked to identify successful elements of the Sandy response, respondents overwhelmingly identified outreach to affected communities and cross-organization collaboration. Cross-organization collaboration was manifested by use of the listserv and call participation, and outreach to affected communities was noticeably rapid:

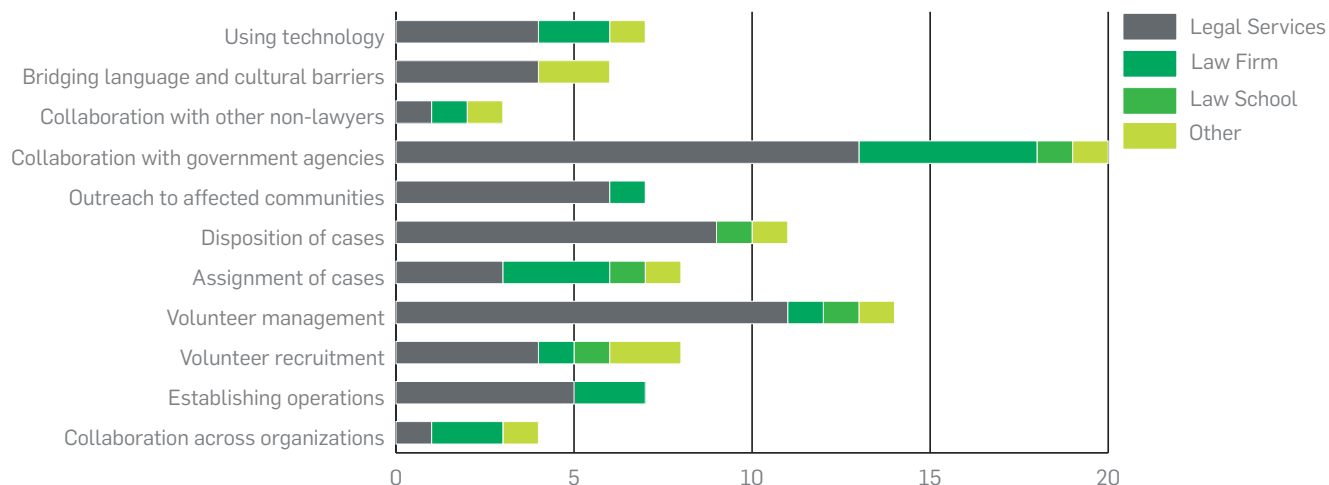
### What were the 2-3 most successful elements of the Sandy legal response?



## Least Successful Aspects of Response

Conversely, the difficulties most often cited by respondents including collaboration with government agencies and volunteer management. Government agencies were notably absent from the Sandy listserv and were difficult to communicate with, while working with volunteers was made difficult by the lag before legal needs became apparent:

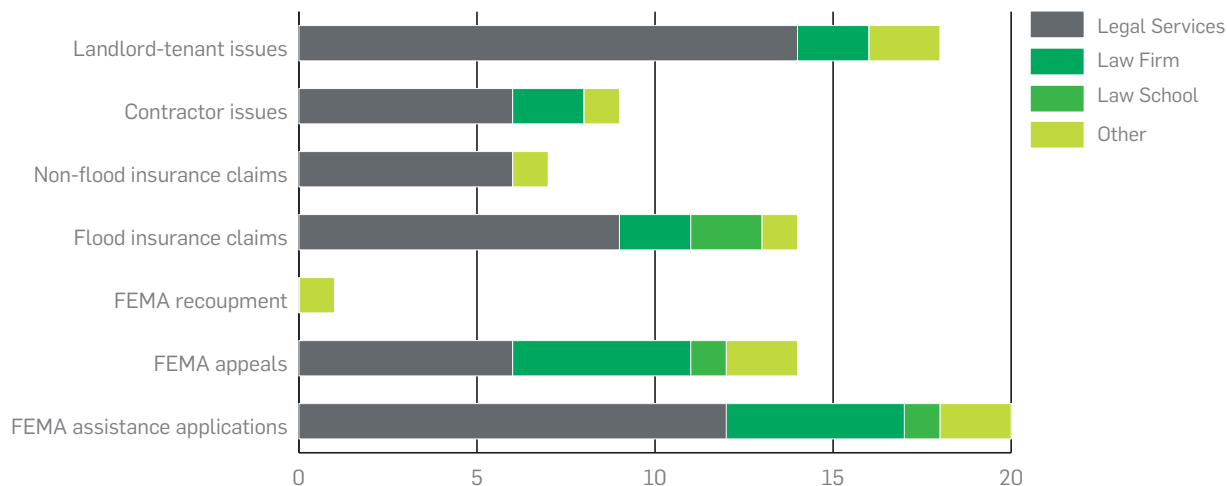
**What were the 2-3 most challenging elements of the Sandy legal response?**



## Legal Issues Addressed Most Effectively

When asked to identity substantive legal issues most successfully responded to, respondent's answers were more varied, but notably initial FEMA applications for assistance were cited as having been more successfully dealt with than appeals of FEMA denials. It is possible that clients with legal assistance for their initial applications would have been less likely to receive denials precipitating the appeals:

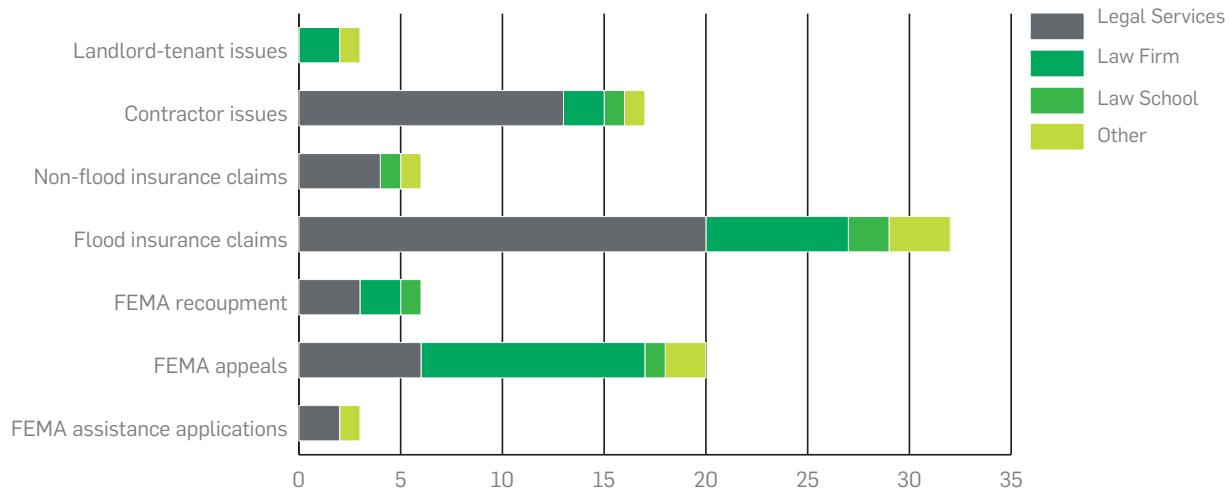
**Of the following substantive legal issues attorneys dealt with post-Sandy, which 2-3 were most successfully repended to?**



## Legal Issues Addressed Least Effectively

When asked about challenging legal issues, respondents overwhelmingly cited flood insurance claims. A significant number, however, had previously cited flood claims as having been successfully responded to, possibly due to different approaches undertaken by attorneys or the fact that attorneys developed much greater knowledge of how to handle claims with time:

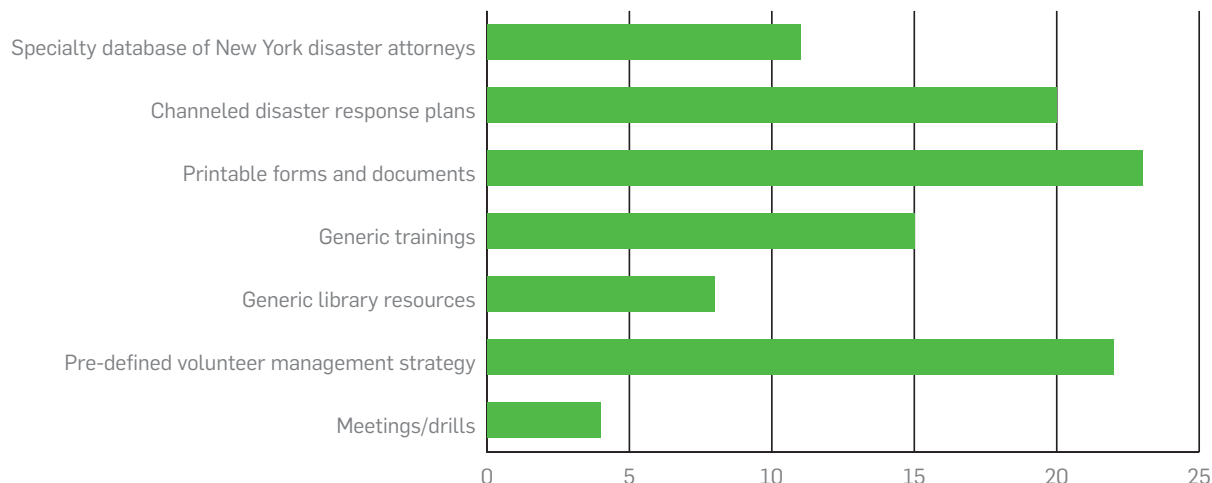
**Of the following substantive legal issues attorneys dealt with post-Sandy, which 2-3 were most challenging to respond to?**



## Most-Requested Features in a Disaster Legal Response Network

When asked about the key elements of a successful disaster legal response network, respondents identified a variety of potential features including printable forms and documents, a volunteer management strategy and channeled disaster response plans. These preferences represent a natural extension of the efforts undertaken after Sandy. Notably, respondents expressed a dispreference for meetings and drills. Forms and documents could find a home on [DisasterLegalAid.org](http://DisasterLegalAid.org) and be made available to and co-produced with attorneys nationally:

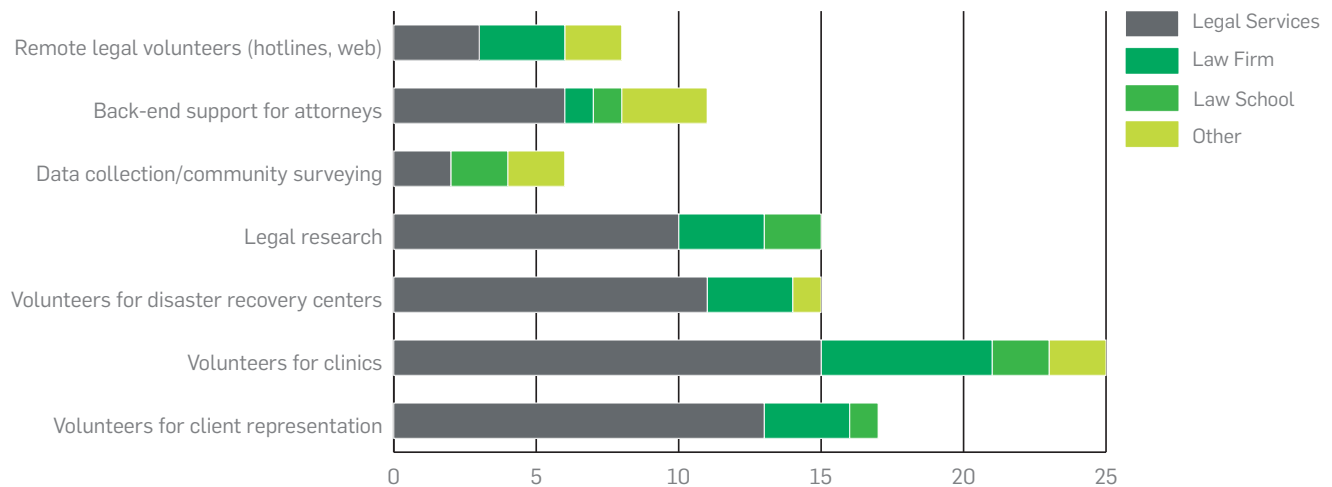
**What do you believe are the 2-3 key elements of a successful disaster legal response network?**



## Ways to Contribute

Finally, when asked how their organizations could contribute to a network-coordinated volunteer effort, respondents indicated the availability of volunteers in different capacities. Across respondent types, there appeared more willingness to commit volunteers for legal work via direct service (for client representation, clinics or at disaster recovery centers) or for legal research than for work not explicitly legal. Pro bono volunteers are constrained by what qualifies toward pro bono requirements and legal services attorneys are also more likely to commit to legal work:

**Select the 2-3 ways in which your organization could best contribute to a network-coordinated volunteer effort**



# Focus Group Results

Pro Bono Net also initiated meetings with a cross-section of attendees representing legal services, law firms, law schools, and bar associations. In all, we spoke with leaders from 9 different organizations. Common themes from the meetings included:

## Use of the listserv should continue

Almost every individual identified the listserv as an important tool. One cited its usefulness for finding out about events and having questions effectively asked and answered, while another noted how the conversation kept pace as issues evolved. The online archive was also identified as a key resource for attorneys who joined the effort later and wanted to learn about how issues developed. Survey respondents also identified the listserv as a widely-used tool.

## Government/official recognition would encourage participation in a sustained network

Different individuals noted that attorneys and advocates would be more likely to actively participate in a sustained network if it was officially recognized by government agencies. One noted that an official or semi-official “face” would add relevance, and another suggested the City and Attorney General’s offices would probably be receptive. A more formal commitment, another added, would increase the likelihood participants would be active. Having buy-in from government could also address problems around coordination of the Sandy response identified by survey respondents. Several individuals volunteered to help solicit official recognition.

## A network effort will need regular maintenance and updates

Many individuals stressed that, in order to keep resources current and the listserv active, there will need to be sustained maintenance and efforts by a core group of committed leaders. One noted there will be new learning and best practices to include, while another pointed out that information will change and the network will have to adapt to stay current. Additionally, it was noted that the attorneys and advocates at legal services offices and firms change, and the listserv will have to include new members of the community. Many survey respondents expressed that a network should include shared forms and resources, and these would certainly need to be updated on an annual or semi-annual basis.

## Attorneys need to be primed for a response & resources need to be ready to go

Many individuals cited the initial time spent determining a response plan, developing resources and educating attorneys as a problem. Several suggested that attorneys could best prepare by educating themselves now, for example by visiting [DisasterLegalAid.org](http://DisasterLegalAid.org), and developing a background in certain issues that could be expected to be faced by survivors. One individual in particular noted that in retrospect it would have been helpful to have been better prepared for how different issues would manifest themselves over the long term. Another noted that simply “having people wait in the wings” wouldn’t lead to participation, but more active preparation might. Preparedness and institutionalizing learned knowledge were very common themes. Multiple respondents suggested developing best practices around volunteer coordination, as well as emphasizing to potential volunteers the importance of patience for opportunities to develop.

## Attorneys would like to keep track of who is doing what across organizations

A few individuals express the importance of maintaining connections with partner organizations and keeping track of who is doing what work with time. One noted that turnover makes keeping track difficult without tools like the listserv, and another suggested that annual or semi-annual meetings could serve as the impetus to keep information current. A network, to be successful, would need to include individuals when they join disaster legal response efforts. Furthermore, knowing members of partner organizations would aid the cross-organization collaboration and rapid response to communities that were cited in the survey as successful after Sandy.

## Recommendations

The following are recommendations for a sustained disaster legal response effort in New York and New Jersey based upon the survey responses and focus group meetings:

- Maintain the listserv as a New York/New Jersey disaster legal response resource
- Identify a small group of leaders in the legal community who will help sustain network efforts and solicit easily accessible and adaptable disaster-related resources to share on the NYC Pro Bono Center
- Host annual or semi-annual meetings/receptions to share developments, best practices and refresh information
- Pursue integration of efforts with [DisasterLegalAid.org](http://DisasterLegalAid.org)
- Formalize the creation of a New York / New Jersey Area Disaster Legal Services Network, and solicit official recognition and buy-in from government agencies

**Acknowledgements:** Thank you to everyone who gave feedback and support for this report, including: Miriam Buhl and Steven Reiss (Weil Gotshal & Manges), Raun Rasmussen (Legal Services NYC), Lynn Kelly (City Bar Justice Center); Louis Sartori (The Legal Aid Society), Yisroel Schulman (New York Legal Assistance Group), and Liz Keith and Mark O'Brien (Pro Bono Net).

Thank you also to Montana Legal Services Association for facilitating the placement of an AmeriCorps VISTA volunteer with Pro Bono Net over the past year.

**Further Reading:** To learn more about the NYC legal community's Superstorm Sandy response, you can read the *Superstorm Sandy Interview Series* on Pro Bono Net's Connecting Justice Communities blog: <http://www.connectingjusticecommunities.com/superstorm-sandy/>

# About Pro Bono Net | [www.probono.net](http://www.probono.net)

Pro Bono Net is a national non-profit organization dedicated to increasing access to justice for the disadvantaged. Through innovative technology solutions and expertise in building and mobilizing justice networks, Pro Bono Net transforms the way legal help reaches the underserved. Comprehensive programs including [www.probono.net](http://www.probono.net), [www.lawhelp.org](http://www.lawhelp.org) and [www.lawhelpinteractive.org](http://www.lawhelpinteractive.org), enable legal advocates to make a stronger impact, increase volunteer participation, and empower the public with resources and self-help tools to improve their lives.

For further information on Pro Bono Net's national programs to support effective disaster legal services, please visit <http://www.disasterlegalaid.org>.

## Addendum

In the immediate aftermath of Superstorm Sandy, members of the New York area legal community, together with colleagues from key national organizations and Gulf Region legal aid and pro bono organizations with expertise in disaster legal response, came together to coordinate activities and share strategies. Among the ways they communicated were through a series of regular conference calls – hosted by Weil Gotshal & Manges and facilitated by the executive directors of the City Bar Justice Center, Legal Services NYC and Pro Bono Net – as well as through a *NYC Superstorm Sandy Legal Relief* listserv ([sandylegal@mail.lawhelp.org](mailto:sandylegal@mail.lawhelp.org)). The following organizations participated in these efforts to facilitate a collaborative legal response to Superstorm Sandy in New York and New Jersey:

Organization	Role	Type
32BJ Legal Services Fund	Legal Services	City/Local
Advocates for Children of New York	Legal Services	City/Local
American Bar Association Young Lawyers Division	Bar Association	National
American Bar Association Center for Pro Bono	Bar Association	National
Bronx Legal Services	Legal Services	City/Local
Brooklyn Bar Association Volunteer Lawyers Project	Bar Association	City/Local
Brooklyn Jubilee	Legal Services	City/Local
Brooklyn Law School	Law School	City/Local
Brooklyn Legal Services	Legal Services	City/Local
Cardozo Law School	Law School	City/Local
Center for NYC Neighborhoods	Legal Services	City/Local
Center for Independence of the Disabled in New York	Legal Services	City/Local
Citigroup	Corporation	City/Local
City Bar Justice Center	Bar Association	City/Local

Columbia Law School	Law School	City/Local
Community Development Corporation of Long Island	Other	City/Local
Community Health Law Project	Legal Services	City/Local
Davis Polk & Wardwell	Law Firm	City/Local
Dentons	Law Firm	City/Local
DLA Piper	Law Firm	City/Local
Florida Equal Justice Center	Legal Services	Gulf Region
Florida Legal Services	Legal Services	Gulf Region
Fordham Law School	Law School	City/Local
Hofstra Law School	Law School	City/Local
IBM	Corporation	City/Local
Jones Day	Law Firm	City/Local
Kasowitz, Benson, Torres & Friedman	Law Firm	City/Local
Kelley Drye & Warren	Law Firm	City/Local
Lathan & Watkins	Law Firm	City/Local
LawHelpNY	Legal Services	State/Regional
Lawyers Alliance for New York	Legal Services	State/Regional
Legal Services Corporation	Legal Services	National
Legal Services NYC	Legal Services	City/Local
Legal Services of Greater Miami	Legal Services	Gulf Region
Legal Services of New Jersey	Legal Services	City/Local
Legal Services of North Florida	Legal Services	Gulf Region
Legal Services of the Hudson Valley	Legal Services	City/Local
Lone Star Legal Aid	Legal Services	Gulf Region
Lowenstein Sandler	Law Firm	City/Local
Lutheran Social Services of New York	Legal Services	City/Local
Make the Road New York	Legal Services	City/Local
Manhattan Legal Services	Legal Services	City/Local
Mayer Brown	Law Firm	City/Local
McCarter & English	Law Firm	City/Local
MFY Legal Services	Legal Services	City/Local
Mississippi Center for Justice	Legal Services	Gulf Region
Morgan, Lewis & Bockius	Law Firm	City/Local
National Legal Aid & Defender Association	Other	National
New York Lawyers for the Public Interest	Legal Services	City/Local

New York State Bar Association	Bar Association	State/Regional
New York Legal Assistance Group	Legal Services	City/Local
O'Melveny & Myers	Law Firm	City/Local
Perkins Coie	Law Firm	City/Local
Pro Bono Net	Other	National
Proskauer Rose	Law Firm	City/Local
Queens County Bar Association	Bar Association	City/Local
Queens Legal Services	Legal Services	City/Local
Queens Volunteer Lawyers Project	Bar Association	City/Local
Shearman & Sterling	Law Firm	City/Local
Skadden, Arps, Slate, Meagher & Flom	Law Firm	City/Local
South Brooklyn Legal Services	Legal Services	City/Local
Staten Island Legal Services	Legal Services	City/Local
Texas RioGrande Legal Aid	Legal Services	Gulf Region
The Legal Aid Society	Legal Services	City/Local
The Office of Senator Kirsten Gillibrand	Government	State/Regional
The Pro Bono Project (New Orleans)	Legal Services	Gulf Region
Touro Law Center	Law School	City/Local
Urban Justice Center	Legal Services	City/Local
US Department of Justice, Access to Justice Initiative	Government	National
Volunteer Lawyers for Justice	Legal Services	City/Local
Volunteers of Legal Service	Legal Services	City/Local
Weil, Gotshal & Manges	Law Firm	City/Local
You. Me. We.	Legal Services	Gulf Region

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