

# **YOU NEVER GET THE DISASTER YOU WANT**

How an agile Legal Services Program can plan for disasters to ensure continuity of program operations and effective client services.

## **I. Ensuring Continuity of Program Operations**

### **A. Perform a Threat Assessment on Regular Basis**

#### **1. Don't Concentrate on Just the Obvious Threats**

- a) Be aware of Natural Disasters i.e. Hurricanes, Floods, Earthquakes, Tornados**
- b) Also be aware of Man-Made Disasters i.e. Fire, Crime, Terrorist Attacks**
- c) There is also a category of Inadvertent Disasters i.e. Government Action, Utility Cutoffs, Martial Law**

#### **2. Remember That Many Things Can Disrupt Operations**

- a) Tropical Storm Allison – Electricity Shutoff in Houston**
- b) 9/11 – Police Closing Access to Downtown Houston**
- c) Hurricane Ike – Debris Closing Streets and No Electricity in Southeast Texas**
- d) Fire – Underground Transformer Explodes and Shuts off Electricity**
- e) Bomb Threat made by Disgruntled Client – Building Evacuated**
- f) Criminal Activity – Computers Stolen**

#### **3. Assess Your Operations for Vulnerability**

- a) **You know your own Operations best, not some Outside Expert**
- b) **Look for Vulnerabilities**
  - (1) *Examine Your Physical Facilities*
  - (2) *Examine Your Policies and Procedures*
- c) **Look for Mission Critical Nodes**
  - (1) *Pay Attention to Operations*
  - (2) *Pay Attention to Communications*

## **B. Take Care of Your Personnel First**

### **1. Be Concerned With Their Physical Safety**

- a) **At the Office**
- b) **Away From the Office**
  - (1) *At Their Homes*
  - (2) *While They Are Traveling*
- c) **Make a Determination Whether the Office is the Safest Place for Them to stay During the Disaster**

### **2. Be Concerned With Their Economic Safety**

- a) **Make Provisions for Payroll**
  - (1) *Use Direct Deposit if at all possible*
  - (2) *Physical Checks are Subject to Mail Interruptions and Travel Restrictions*
- b) **The Program May Need to Make Emergency Loans to Employees**
- c) **You May Need to Use Program Offices as Temporary Shelter for Employees**

(1) *Check Your Insurance Liability*

(2) *Need to Set Time Limit on How Long Employees Can Stay*

### **3. Develop Contact Procedures for Employees**

#### **a) Use Your Program Website**

(1) *Website Use is Dependent on Electricity*

(2) *Website Use is Dependent on Internet Connectivity*

#### **b) Develop Telephone Trees**

(1) *Keep in Mind that Cell Phones May Not Work for a Variety of Reasons*

(2) *Text Messaging May Work*

(3) *Need Multiple Callers to Prevent Gaps in the Tree*

#### **c) A Large Program in Area Has Some Advantages over Smaller Programs**

(1) *Has Alternate Office Locations not Affected by the Disaster*

(2) *Employees Will Have Multiple Numbers to Call to Reach Their Supervisors*

## **C. Make Sure That Your Corporate Property is Secure**

### **1. Secure Your Computer Systems**

#### **a) Back Up Mission Critical Data**

(1) *One Choice is Off-Site Storage of Backup Media*

(2) *Another Choice is Internet Backup*

#### **b) Remember to Back Up Both Accounting Data and Client Information Data**

#### **c) Test All Your Backup Procedures**

(1) *Make Sure Electronic Procedures Can Function with Loss of Electricity*

(2) *Make Sure Physical Procedures can still be followed if Mission Critical Employee is Unavailable*

## **2. Secure Your Office Locations**

### **a) Move Furniture Away From Doors and Windows**

(1) *Lift All Electrical Equipment off the Floor*

(2) *Empty Bottom Drawers of File Cabinets and Desks*

### **b) Be Prepared to Have Access to Your Office or Offices Cut Off for a Significant Time**

### **c) Turn Off All Breakers to Prevent Damage Due to Electrical Surges**

## **3. Make Sure Your Insurance Coverage Is In Order**

### **a) Keep in Mind You Will Restart Operations Before Insurance Will Be Available**

### **b) Be Sure to Take Into Account the Replacement Cost of Equipment, Not Just Its Current Value**

### **c) Review All Rental and Lease Agreements for Both Office Locations and Major Equipment**

## **D. Be Aware of Time Factors**

### **1. Some Disasters are Slow developing i.e. Hurricanes**

#### **a) These Disasters Give You Time to Implement Your Procedures**

#### **b) Be Sure You Don't Wait Too Long Before You Start Implementing Disaster Procedures**

#### **c) Remember That Employees Also Have to Make Their Own Personal Preparations**

## **2. Some Disasters are fast developing i.e. Fires**

- a) No Time to Discuss Procedures – They Must Be In Place Beforehand**
- b) Always Remember – Safety First**
  - (1) People Will Try to Save Files or Personal Belongings*
  - (2) Evacuation Should Take Priority*
- c) Remember That Clients May Be in Your Office as well as Employees**

## **3. Keep Everything Simple**

- a) People under Stress Can Only Do Simple Things**
- b) The Faster the Disaster Occurs, The Simpler the Response Must Be**
- c) Visitors to Your Offices Will Not Know Your Disaster Procedures**

## **E. TRAIN, TRAIN, TRAIN**

### **1. Test Your Disaster Procedures Regularly**

- a) Be Unpredictable**
- b) Make Sure Everyone Participates in the Test**
- c) Lead by Example**

### **2. Have Emergency Drills in Each Office**

- a) All Offices Should Do This Regardless of Size**
- b) Have Both Fire and Evacuation Drills**
- c) Always Include Clients in Your Drills**

- 3. Establish an Emergency Committee**
  - a) Include Representatives from All Departments and Units**
  - b) Make Sure the Committee Meets Regularly**
  - c) Decide Whether the Committee Will Implement or Only Develop and Review Emergency Procedures**

## **II. Continuing Effective Client Services**

### **A. Know Your Service Area Demographics**

- 1. Any Disaster Will Affect More Than Just the Usual Poverty Population of Your Service Area**
  - a) Katrina Evacuees Were Our Clients**
  - b) Ike Victims in Galveston May Not Be Our Clients**
- 2. Different Disasters Affect Different Client Populations in Different Ways**
  - a) A fire in one part of Houston will require a response that a fire in a different part of Houston would not**
  - b) Galveston Residents May Have Insurance to Cover Hurricane Losses While Residents of Oak Island in Chambers County Do Not**
- 3. Be Aware of Your Special Needs Populations or a Population That Could Become a Special Needs Population Based on the Disaster**
  - a) Homeless Population**
  - b) Disabled Population**
  - c) Elderly/Nursing Home Population**

- d) **Evacuees**
- e) **Other Specific Groups Affected By the Disaster**

**B. Be Aware of the Survivors Hierarchy of Needs**

**1. Access to Legal Aid May Not Be the Survivors First Concern**

- a) **This is based on Maslow's Hierarchy of Needs**
- b) **Survivors Are Concerned With Providing for Basic Needs First**
- c) **Our Services Are Probably Not Classified As Basic Needs**

**2. In The Immediate Aftermath of a Disaster Survivors Are Concerned With Finding Food, Water, and Shelter**

- a) **If your program can assist in these areas go ahead and provide services if you can**
- b) **If your program cannot assist in these areas, let other more appropriate agencies provide these services**

**3. The Needs of Survivors Will Change as Time Passes**

- a) **The Further Removed you are From the Disaster in Terms of Time, the More Likely Your Program's Services Are Needed**
- b) **Be Aware of the Unique Time Frames of Each Disaster**

*(1) See above for Fast Moving Disasters*

*(2) See above for Slow Moving Disasters*

**C. It Is Important That You Coordinate With Other Agencies**

**1. Agencies Will Be National, State, Local, and Neighborhood Organizations**

- a) **This Includes Other Legal Aid Organizations**
- b) **It May Be More Important to Work with Agencies That Are Not Specifically Legal Aid Organizations**

**2. It is best To Reach Agreements with These Agencies before the Disaster Strikes**

- a) **After the Disaster It May Be Too Late**
- b) **Negotiation Agreements after the Fact May Be a Waste of Time and Effort at a Time When You Can Spare Neither**

**3. Practice the Implementation of Your Agreements before the Disaster Strikes**

- a) **Understand Where Each Organization Has Primary Responsibility**
- b) **Look For Problem Areas in the Agreement**
  - (1) *Duplication of Effort*
  - (2) *Holes in the Agreement That Lead to No Efforts by Any Agency*

**D. Prepare Your Organization for the Long Haul**

**1. No Matter What the Disaster Think In Terms of Years Before All the Effects Wear Off**

- a) **While the Disaster Itself May Be Over Quickly, the Effects Will Not**
  - (1) *There will be Far Reaching Effects*
  - (2) *There will be Far Ranging Effects*

**b) Think In Terms of Months and Years**

**2. Watch for Signs of Staff Burnout As Time Goes On**

- a) **Even If Your Staff is not directly affected by the Disaster, They May be indirectly affected**
  - (1) *They May Have a Personal Relationship to the Affected Area*
  - (2) *They May Have a Psychological Relationship to the Survivors*
- b) **Your Staff Will Need to Pace Themselves**
- c) **If a Disaster Strikes Your Area Your Staff May Be Survivors as Well as Providers of Aid**

### **3. Plan for an End Game**

- a) **Decide How Long Your Program Will Provide Disaster Services**
- b) **Decide Who Will Receive Disaster Services from Your Program**
  - (1) *When does assistance you provide outside your service area end?*
  - (2) *When do evacuees and survivors lose their special status and become regular residents of your service area?*
- c) **Once You Decide, Let Everyone Know What the Endgame Is**
  - (1) *Your Staff*
  - (2) *Outside Organizations*
  - (3) *Survivors, Evacuees, and Clients*