

Foreword

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Late into the evening on August 17, 1969, Hurricane Camille made landfall in Waveland, Mississippi, as a Category 5 hurricane. At the time, Camille was only the second Category 5 hurricane to make landfall in the United States. Camille destroyed nearly every structure along Mississippi's Gulf Coast, killing 239 people and causing nearly \$10 billion in damages. Although Camille was certainly not the first disaster to impact the United States, it was the first documented, coordinated response to provide free legal assistance to disaster survivors. To achieve this coordinated response, The Young Lawyers Section of the Mississippi Bar Association entered into an agreement with the U.S. Office of Emergency Preparedness (OEP), which was the modern-day equivalent of the Federal Emergency Management Agency (FEMA). This coordinated response was the impetus for the American Bar Association Young Lawyers Division (ABA YLD) to enter into a national agreement with OEP to be the exclusive coordinator of legal services to disaster survivors, a program that remains in effect today. In the past half-century, the DLS program has played a central role in coordinating the legal response to hundreds of disasters in almost every state and territory in the United States, pairing hundreds of volunteers who have helped thousands of survivors.¹

In 2015, then YLD Chair Lacy Durham appointed me to take over the Disaster Legal Services Program. Less than one week into my time as director, we implemented DLS in the Commonwealth

1. For an in-depth account of the DLS program, see 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.* Article 7 (2019). Available at <https://digitalcommons.tourolaw.edu/lawreview/vol35/iss3/7>.

of Northern Mariana Islands (CNMI) in response to Typhoon Soudelor. The work over the next two years was steady, and our team responded to fires in California, historic flooding in Baton Rouge, and smaller-scale incidents across the country.

Everything changed in 2017. This would become the costliest year on record for natural disasters. While names like Harvey, Irma, and Maria still trigger painful memories for many, the trauma was far more reaching than that trio of hurricanes. That year, the United States experienced 16 separate ‘billion-dollar disasters’ with a price tag of over \$300 billion. FEMA registrations increased tenfold from the prior year to 4.7 million. 2018 was not much better, as our team continued to address the lingering effects of the 2017 disasters, and encountered many others in all corners of the United States and its territories, including American Samoa, Hawaii, the Carolinas, Texas, and Florida, to name a few.

Having so many disasters in a short period of time gave us the opportunity to continuously improve the program. We cultivated relationships with nonlegal partners such as the American Red Cross and Voluntary Agencies Active in Disasters (VOAD). We improved our coordination with Legal Services Corporation (LSC) grantees. We continued work with national programs such as Disaster Legal Aid (which operates through Pro Bono Net) and the Association of Pro Bono Counsel (APBCO). These efforts allowed us to improve the size, scope, and capacity of our program. What originally started as a program that focused on “counseling,” “hand-holding,” and a “dispatcher” has evolved to provide comprehensive civil legal services, such as pursuing claims against insurance companies, landlords, contractors, FEMA, and other agencies, as well as helping survivors clear title to their homes, replace vital documents, and create important documents such as wills, trusts, and powers of attorney.

I “aged out” of the YLD at the end of 2018, but my experience coordinating legal services to disaster survivors led to my appointment to the LSC Disaster Task Force by LSC Board Chair John Levi. Later that year, the ABA President-Elect at the time, Judy Perry Martinez, appointed me to chair the ABA’s Standing

Committee on Disaster Response and Preparedness. And since age is only a social construct, I continue to work on the YLD's DLS team as a special advisor.

Although the world has changed significantly since Hurricane Camille made landfall over 50 years ago, many things remain the same, especially the disruptive and devastating impact disasters have on individuals, businesses, and communities. After a disaster, those impacted will do their best to pick up the pieces and start over. For some, recovery will happen in short order; however, others will not see the same recovery.

The Small Business Administration estimates that 40 percent of businesses never reopen after a disaster, and of the ones that do, a quarter of them will close for good within one year. When businesses fail, it creates a ripple effect in the community that results in significant and far-reaching consequences. When one business fails, those employees will cease to patronize other local businesses, which threatens those businesses' survival, ultimately causing a domino effect for the community. The lack of economic activity erodes the tax base, which in turn strains public services such as police and fire departments. Those who cannot leave tend to be poorer than those who do leave, causing additional strain on social service programs.

Even the best laid plans can be foiled if the community as a whole is not resilient. This only underscores the importance of community resilience, and should illustrate that resiliency is a team sport and not a solo exercise. Community resilience is much more than having a robust business continuity plan; rather, a resilient community is one that strives to implement standards, guidance, programs, and best practices to prevent loss and damage from foreseeable hazards.

In recognition of the growing frequency and intensity of natural and man-made disasters—as well as their financial and non-financial costs to the community—this Handbook was created to provide guidance to lawyers; law firms; and federal, state, local, and specialty bar associations to be active participants in, and advocates for, community resilience initiatives while recognizing the legal, financial, and environmental interests of citizens.

This Handbook brings together the perspectives of experts in the legal community as well as numerous professional disciplines, including architecture, engineering, insurance, and social science. It brings a unique perspective on what is needed to accelerate recovery from any natural or man-made disaster, including what steps can be taken to continuously improve resilience over the long term. This Handbook is more than a guide to assess your level of resilience: It should provoke thought and action on how to integrate resiliency into one's daily practice on a perpetual basis.

If I could impart one piece of wisdom from my time working in this space, it is this—relationships matter. Relationships are a core building block needed for community resiliency. If we are to have a “we are all in this together” attitude, we must first know who “we” are. Better yet, we must know who “we” are before a disaster. This Handbook provides a good start.