

1.0 INTRODUCTION

1.1 Overview of This Document

This document is provided as a resource to attorney volunteers who are fielding questions from those affected by disasters. This document is a starting point and is not intended to be the sole resource for you to rely on in providing legal assistance to those affected by natural disasters. If a matter needs further legal representation that would qualify for submission to the legal aid services organizations or clinics (all of which are based on whether or not the applicant satisfies the intake criteria), you should gather pertinent information as instructed by the organization managing disaster legal services in your area for further processing. See Table 1 below for information regarding the legal services organizations that are providing disaster legal services in the different areas.

NOTE: If you have cause to believe that a child's physical or mental health or welfare has been or may be adversely affected by abuse or neglect, Texas law imposes a duty on you to report that within forty-eight hours to local law enforcement or the Texas Child Abuse Hotline (1.800.252.5400). For more information, visit <https://www.texasattorneygeneral.gov/cvs/when-you-suspect-child-abuse-or-neglect-a-general-guide>

You may also have a duty to report certain criminal activity.

Table 1. Listing of Legal Services Providers that Provide Disaster Legal Services

For a complete list of legal services providers, please see the State Bar of Texas Referral Director, Legal Services and Other Resources for Low-Income Texans, available at www.texasbar.com/content/NavigationMenu/LawyersGivingBack/LegalAccessDivision/ReferralDirectory.pdf.

LSC Programs (Texas)	
Lone Star Legal Aid (800) 733-8394 www.lonestarlegal.org/	East Texas (from Galveston to Texarkana, including Houston and the greater Houston area)
Legal Aid of NorthWest Texas (888) 529-5277 www.lanwt.org/	Northern Texas
Texas RioGrande Legal Aid (888) 988-9996 www.trla.org/	South, Central and West Texas
Legal Aid and Bar Associations	
Dallas Volunteer Attorney Program 515 Main St. Dallas, Texas 75201 (214) 243-2236 www.dallasvolunteerattorneyprogram.org	Joint program of the Dallas Bar Association and Legal Aid of Northwest Texas.
Disability Rights Texas Headquarters/Central Texas Regional Office 2222 West Braker Lane Austin, Texas 78758 (512) 454-4816 (800) 252-9108 (Intake for New Callers) http://www.disabilityrightstx.org/	Advocates legal rights of those with disabilities.
Fort Bend Lawyers Care PO Box 1647 Richmond, Texas 77469 (281) 239-0015 www.FortbendLawyersCARE.org E-mail: info@fortbendlawyerscare.org	
Houston Volunteer Lawyers 1111 Bagby, Suite FLB300 Houston, Texas 77002 (713) 228-0735 www.makejusticehappen.org/ E-mail: info@hvlp.org	Houston metropolitan area. The service arm of the Houston Bar Association.
Texas Legal Services Center 2101 S IH 35 Frontage Rd. Austin, Texas 78741 (800) 622-2520 https://www.tlsc.org/	

Volunteer Legal Services of Central Texas 1033 La Posada Drive, Suite 374 Austin, Texas 78752 (512) 476-5550 www.vlsoct.org	
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1.2 The Role of the Volunteer Lawyer

Type of Legal Services Rendered – Following a disaster, volunteer lawyers may be asked to assist in several types of disaster legal relief. While the focus at each location may be different based on the current needs of the survivors, the type of assistance you will be providing is similar. Generally, you may provide the following types of legal services:

1. **Legal Information.** Provide legal information including rights on different matters following a disaster.
2. **Individual Advice or Counsel.** Legal information or advice for a specific issue the survivor is experiencing.
3. **Limited Scope Assistance.** Some survivors will need immediate assistance but limited in scope. For example, the survivor may need assistance with completing a FEMA application or writing a demand letter to a landlord to terminate a lease for a flooded rental.
4. **Direct Representation.** As survivors begin to recover, they will encounter legal issues for which they will need legal representation. The types of legal issues are different depending on the stage of recovery.

You may volunteer at the following types of events or locations:

1. Shelter
2. Disaster Recovery Center (DRC)
3. Phone Banks
4. Legal Advice Clinics
5. Limited Scope Assistance
6. Complete Direct Representation

Based on past experiences with disasters, you may be asked to provide advice on a wide range of issues. Again, the types of legal issues may be different depending on the stage of recovery. Types of issues include—

1. assisting with filing for emergency assistance,
2. assisting with insurance claims (life, property, medical, etc.),
3. counseling on lessor-lessee, homeowner, and other housing problems,
4. assisting with home repair contracts,
5. assisting in consumer protection matters, remedies, and procedures,
6. counseling on mortgage foreclosure problems,
7. replacing of important legal documents destroyed in the natural disaster, such as wills and green cards,

8. drafting of powers of attorney,
9. estate administration (insolvent estates),
10. tax questions,
11. preparation for guardianships and conservatorships, and
12. referring individuals to local or state agencies which might be of further assistance (e.g. consumer affairs).

Nonlegal Services Assistance – Depending on the size and scope of a disaster, disaster legal services may need assistance with practical needs including printing materials for distribution, delivering the materials to different recovery locations, and distribution of materials.

1.3 Information You May Need in Helping the Victims

The type of information you may need will depend on the type of assistance that you are providing. Check with the legal services organization which is managing the disaster legal services location on the type of information you will need to collect. Generally, the organization will have an application which includes the information needed for the type of assistance you are providing.

Generally, you will obtain the following information from the individual you are assisting:

- Full name and the names and ages of family members living with the individual at the time of the disaster;
- Whether they are a plaintiff or defendant in any existing cases (if so, you should assist them in locating their counsel);
- Current address and disaster area address, as well as telephone number(s); including landlines, where the individual may be contacted,
- Description of losses and disaster-related problems;
- Insurance information; and
- If necessary for the type of legal assistance you are to provide, citizenship status.

Note: Only U.S. citizens and qualified aliens are entitled to FEMA benefits; however, children born in the U.S. to undocumented aliens qualify for FEMA benefits, while undocumented aliens are entitled to noncash assistance through FEMA, including disaster legal services, emergency food and shelter, and crisis counseling.

For more information, visit <https://www.fema.gov/news-release/2004/06/17/questions-and-answers-undocumented-immigrants-regarding-fema-assistance>.

1.4 Locating Missing Family and Friends

Persons affected by a disaster may notify loved ones of their well-being by registering on the Safe and Well feature of www.redcross.org. Click the “Get Help” tab, and then click “List Yourself as Safe and Well.”

Concerned family and friends can search the list of those who have registered themselves as “safe and well” by clicking “Search for a Family Member.” Another source for information on how to locate a family member or friend affected by a disaster is <https://www.usa.gov/after-disaster> (then go to steps 4 & 5 below) or www.usa.gov, and follow steps 1–5 below.

1. Go to “All Topics and Services” in the top menu.
2. Click the “Disasters and Emergencies” tab.
3. Then click the “After a Disaster” tab.
4. Next, scroll down to the “Find Family After a Disaster” section.
5. Finally, access the “National Emergency Family Registry and Locator System” and “American Red Cross Safe and Well” links.