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How Legal Aid of Western Missouri Is Helping the Community Recover from the Joplin Tornado

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A tornado struck my hometown, Joplin, Missouri, on May 22, 2011. Growing up in Tornado Alley, I regarded sirens in the springtime as nothing unusual. But this tornado was different. With winds exceeding two hundred miles per hour, the tornado ranked an [EF-5](#) on the Enhanced Fujita scale, the highest possible rating. [The tornado was a mile wide](#), and it stayed on the ground for thirty-two minutes. It destroyed large swaths of the city, [killing 161 people](#) and injuring over a thousand more.



Although I was living in Chicago at the time, I was home for a visit that weekend. I began driving back to Chicago the morning of the storm, and I had nearly arrived when I began receiving text messages and calls from family and friends. My mother was fine, but our house was badly damaged. No friends were killed, but the church I grew up in was completely destroyed. The hospital where my mother had worked for over twenty years was hit directly. I wanted to get back in my car and drive right back to Joplin, but my mother convinced me to wait a few days since there was little I could do in the immediate chaos. I spent the next week helplessly glued to the television. Seeing nonstop coverage of my town on the national news was incredibly surreal. I did what I could to help over the phone, and the next weekend I drove back home.

Once I had done all I could for my own family, my attention turned to the larger community. A disaster of this scale is overwhelming, and I did not know where to start or what to do. But I felt, as everyone in town did, an almost desperate need to do something to help. I saw an online posting recruiting volunteer attorneys to assist the local legal aid office, and I decided that would be a good place to start.

Initial Response

Legal Aid of Western Missouri has a central office in Kansas City and four smaller satellite offices. At the time of the tornado the Joplin office had seven employees, serving a six-county area. The office was fortunately out of the tornado's path and was not damaged. Legal Aid of Western Missouri's first response would be a collaborative effort: the American Red Cross and the State Emergency Management Agency organized a multiagency resource center as a "one-stop shop" for tornado survivors. Legal Aid of Western Missouri's booth was staffed by employees and volunteer attorneys recruited through the Missouri Bar Association.



I had served a summer internship at Legal Aid of Western Missouri's Joplin office in my second year of law school, and so I was already familiar with the organization. I signed up to work an afternoon shift at its booth a week after the tornado. I spent several hours listening to survivors' stories and giving them

practical legal advice on how to deal with immediate problems: uncooperative insurance companies, lost documents, and price-gouging landlords. This was my first real contribution toward the relief effort in Joplin, and I never could have predicted that I would spend the next two years working to help the community recover.

Equal Justice Works responded quickly by creating two AmeriCorps legal fellowships at Legal Aid of Western Missouri. I learned about the fellowships when Zach Tusinger, a friend from law school and fellow Joplin native, submitted his application. I felt a need to return home and help my family and community rebuild, and the fellowship seemed like a perfect opportunity to do so. I interviewed over the phone from Chicago, and just a few weeks after applying I found myself sharing an office with Zach, back in my hometown. We were now Equal Justice Works AmeriCorps legal fellows, part of Legal Aid of Western Missouri's tornado team.

The Legal Issues

My caseload is not confined to any specific area of law, and this means every day is different. This makes for an interesting but challenging attorney experience. Rather than developing an expertise in a specific area of law, I have become an expert in learning new material quickly and knowing when to ask for help.

I handle a lot of domestic cases, including orders of protection, divorces, and paternity actions. Most of my domestic cases involve domestic violence; in fact, the Joplin office saw a 40 percent increase in domestic violence cases in the seven months following the tornado. While this increase is due to no single cause, it is largely attributed to suboptimal living arrangements. Clients who lost housing often stayed anywhere they could, including in very stressful and crowded shared homes. Eligible survivors were eventually able to move into Federal Emergency Management Agency (FEMA) temporary housing, but FEMA awards housing assistance based on the predisaster household composition and does not bifurcate a case or award separate assistance to couples who separate (44 C.F.R. § 206.117(b)(1)(i)(A), 206.117(b)(ii)(B) (2013)). Some clients chose to stay in abusive situations because they had nowhere else to go.

My caseload also includes a large number of consumer debt cases. Many of my clients have significant debt: medical bills from injuries incurred in the tornado, credit card bills because they lost their job in the storm and had no income for several months, payday loans to cover emergency expenses. Some clients lost their cars in the storm, had liability-only insurance or no insurance coverage, and hastily purchased replacement vehicles they could not afford. Joplin having very little public transportation, a car is necessary for everyday activities such as going to work or buying groceries.

Zach handles the bulk of the contractor cases. His clients are homeowners who hired contractors to repair their homes, and the contractors either failed to complete the jobs or completed the work very poorly. We also serve clients who rented or purchased homes which were billed as “newly remodeled” but had problems with the plumbing and electrical systems; these homes are on the edge of the disaster area. My housing caseload tends to focus on renters. One client’s landlord refused to repair her damaged rental home for months after the storm, despite her repeated requests. When she began withholding rent, the landlord filed suit to evict her.

Many of my cases fall outside Legal Aid of Western Missouri’s normal issue areas. For example, I represented a client who purchased a replacement vehicle immediately after the storm from a stranger off Craigslist. The Missouri Department of Motor Vehicles was unable to register the vehicle in her name because the two previous owners had incorrectly completed the title, and my client had no way to contact them. I filed a petition for declaratory judgment against the Missouri Department of Revenue and eventually got a new title issued so that she could properly register the vehicle. I have also filed several actions in probate court to allow clients to cash insurance companies’ checks that were made payable to now-deceased family members.

The Community Component

The first few days of my fellowship were an overwhelming blur of acronyms and agencies. I kept a list of all the different organizations’ acronyms, from ARC (American Red Cross) to VAL (voluntary agency liaison), to help me keep track! My first day on the job was October 3, 2011, when recovery efforts were already in full swing.

My caseload being light in the beginning, I spent time familiarizing myself with the community organizations already on the ground and learning how best to collaborate with them. My most important collaboration resource by far has been the disaster case managers. Three case management agencies serve the Joplin disaster area: the American Red Cross, Catholic Charities, and the Salvation Army. Anyone affected by the tornado is eligible for free case management services. Disaster case managers are trained to solve practical problems but not necessarily to spot legal issues. This can be a problem when dealing with time-sensitive legal matters since a delayed referral may mean missed deadlines and unsuccessful appeals.



The first week I was one of the speakers at a monthly disaster resource coffee, one of many such meetings to keep the case managers informed about community resources for their clients. The informal meetings were a great opportunity to introduce myself to case managers and other agencies' representatives. Even when not scheduled as a speaker, I regularly attended the meetings to ensure that I had the most up-to-date information about resources. In the first few months, programs were constantly being created, and existing programs were rapidly evolving to meet new needs.

The meetings were hosted by the Unmet Needs Committee, a subcommittee of the Long-Term Recovery Committee, which had been created as part of a national model called Community Organizations Active in Disaster. In place for several years, the [Jasper County Community Organizations Active in Disaster](#) had responded to several smaller storms but had never dealt with anything of this scale. Once mobilized, the Long-Term Recovery Committee created a number of subcommittees. I began attending monthly Unmet Needs Committee meetings to ensure that my clients have a voice in rebuilding.

Lessons Learned So Far

To be familiar with other community resources, with both the programs and their staff, is imperative. This is always a good rule of thumb for legal services attorneys, and it is especially true for attorneys serving disaster victims. Below are just a few of my strategies to ensure that I was able to serve my clients in partnership with other organizations.

Face Time. My frequent attendance at meetings meant that disaster case managers knew me and felt comfortable making referrals to me. It also meant that I was well positioned to make my own social service referrals on my clients' behalf. For example, I defended a client in a debt collection lawsuit. I learned that many of his problems could be traced to the storm: he had significant medical debt because of injuries incurred in the tornado, and although this debt was not yet being collected, he felt overwhelmed by it and powerless to pay it. He also lost his roommate in the tornado and was now living alone in a hastily rented replacement apartment that was overpriced and infested with insects. I referred him to disaster case management to help him find more suitable housing, and to the hospital's financial counselor to help him come up with an affordable payment plan for his bills. I continued to represent him in the initial collection suit.

Community Events. I attended a multitude of community events on behalf of Legal Aid of Western Missouri to increase the organization's visibility and to strengthen ties with community partners. Commemorative events were planned for the tornado's anniversary; one was a citywide [Unity Walk](#). With other Legal Aid of Western Missouri staffers, I volunteered to hand out water bottles to the walkers and to encourage them. Frequent attendance at community events served to emphasize that our organization was part of the recovery team and part of the community.

Legal Aid of Western Missouri also hosted a booth at Third Thursday, a monthly downtown festival held in the warmer months. The May 2012 Third Thursday had a “Rebuild Joplin” theme to mark the tornado’s anniversary; there were recovery-themed activities, such as [framing a wall](#) that would go into a new home in the disaster area. Our booth featured [tubs of building blocks donated by LEGO Education](#). Children stopped by and assembled buildings. Each completed building went on a table, and by the end of the day we had an entire LEGO city—the kids had literally rebuilt Joplin. They rebuilt city landmarks such as St. John’s Hospital.

The LEGOs proved to be very popular, and we took them to a communitywide block party for one final outing before donating them to a local nonprofit organization that works with at-risk children. While the kids played with the building blocks, we talked with their parents about their recovery and answered any legal questions about their insurance companies, their FEMA benefits, and their search for permanent housing.

Meeting Clients Where They Are (Literally). We also spent a lot of time attending community events at the Human Services Campus, a community center at the FEMA temporary housing site. Many of my clients live in FEMA temporary housing. Because transportation is a continual challenge for Legal Aid of Western Missouri’s clients in general, and for my clients in particular, having lost their vehicles in the storm, the Human Services Campus was an invaluable resource: there we could connect with disaster victims where they were.

We attended the Human Services Campus’ grand opening; we staffed a booth where we explained our organization’s services and handed out business cards. We later hosted a walk-in legal clinic at the campus for advice and assistance on paperwork. The campus held a housing fair in spring 2012 to assist FEMA temporary housing residents in securing long-term housing. We hosted a booth focusing on housing law. We handed out brochures about handling landlord-tenant disputes, return of security deposits, and the dangers of contract-for-deed arrangements. The fair gave us a chance to speak directly to temporary housing residents about their problems and to familiarize ourselves further with available resources.

Collaboration. In Joplin the Long-Term Recovery Committee drew up a multiagency information release form, which FEMA also approved. This meant that a disaster victim had to sign only a single form authorizing all collaborating agencies to share client information. It also set the tone for our recovery efforts: all agencies made an effort to avoid territorial disputes and work together to meet clients’ holistic needs.

As part of the Unmet Needs Committee, I develop and implement creative solutions to disaster victims’ problems. For example, the committee developed a multiweek survivor workshop on practical steps to recovery. We advertised on local radio shows and in the local newspaper. The workshop was hosted by the Human Services Campus, at the FEMA temporary housing site. I presented one session, which covered replacing lost documents, working with FEMA, and avoiding home repair scams. Attendance was poor, and the committee felt the topic was too broad.

Reassessing the state of the recovery, we noted that many survivors were moving from FEMA temporary housing into permanent housing. Many were homeowners for the first time, often through organizations like Fuller Center for Housing or Habitat for Humanity. We developed a new workshop series targeting the first-time homeowners (and aspiring first-time homeowners) and called it "A Home of Your Own." [Fuller Center for Housing](#) and [Habitat for Humanity](#) allowed time spent attending the free workshop to count toward the "sweat equity" hours required of all families participating in their programs. The workshop was free and open to any community member.

The workshop series covered topics from basic home maintenance and repair to mortgages. The workshop was held at a local church rather than at the FEMA temporary housing site. I presented a wide-ranging session on the difference between a traditional mortgage and a contract for deed, the obstacles presented by old utility debt and how to deal with them, avoiding contractor fraud, and the local permits required for home repairs and improvements.

This second workshop series was very successful, with attendance of more than forty people at the most popular sessions. I believe these factors contributed to success: we targeted the workshop to a discrete population with a specific need rather than just "disaster survivors"; we partnered with local organizations already serving our target population, and this ensured at least a baseline level of attendance; and by holding the workshop at a local church rather than at the FEMA temporary housing site, we emphasized that this was a community effort, not something restricted to individuals receiving housing assistance from FEMA.

Referral Systems. Make referral systems specific to your clients' needs. Along with our disaster case management referrals, Legal Aid of Western Missouri has set up a referral system with Rebuild Joplin, a local nonprofit organization doing construction work on behalf of tornado victims (both building new homes and repairing storm damage). A client came to me complaining of shoddy construction work and showed me photos of his attic. I had no way to evaluate the quality of the work and no way to assess his potential claim accurately. I reached out to Rebuild Joplin to review the photos with me. Rebuild Joplin graciously did so, and we eventually set up a referral system between our two organizations. Thus we take advantage of Rebuild Joplin's construction expertise to inform our legal analyses better, and we help get our clients' homes repaired more quickly by Rebuild Joplin's volunteers. Rebuild Joplin can meet a client's immediate shelter needs while we work within the much slower legal system to assert our client's rights under the contract, recover funds, or petition the insurance company for additional funds to hire new contractors.

Local FEMA Staff. Getting to know local FEMA staff members, invaluable resources as they are, early on made a big difference for my clients. My most important FEMA contact was the voluntary agency liaison, who coordinates with other agencies and ensures that the lines of communication are open. When I had questions about my clients' FEMA files or the progress of their appeals case, I would call the liaison to look up the files on FEMA's internal database. By using local contacts, I avoided ever calling

the national FEMA hotline. Attorneys who responded to Hurricane Katrina warned me that calling the national hotline was often frustrating: you would speak to a different person each time you called, and you would often receive different (and contradictory) information. Perhaps the national hotline has improved since Hurricane Katrina, but happily I have had no reason to find out.

Getting the Word Out. One of my biggest challenges has been to increase awareness of Legal Aid of Western Missouri as a community resource. Many would-be clients are simply unaware that there are free legal services available. This is especially problematic when dealing with disaster victims, whose cases with FEMA or insurance companies may be time-sensitive. To increase publicity, Zach and I designed a simple flyer: “Affected by the Tornado? Need Legal Help?” We listed our phone number and six bullet-point examples of legal problems: contractor issues, FEMA, landlord-tenant, domestic violence, eviction, and contract for deed. Fortunately, the [Missouri Rules of Professional Conduct](#) allow this type of advertising activity for nonprofit organizations funded by the Legal Services Corporation.

We spent a day posting the flyer at bus stops (including the new bus stops at the FEMA temporary housing site), laundromats, bars, coffee shops, the public library, the free community clinic, grocery stores, the benefits office, and the unemployment office.

Zach and I were fortunate to be in a small media market with ample opportunities for interviews. We took advantage of every media opportunity, big or small. We were interviewed for a [front-page story in the Joplin Globe](#), our local daily newspaper. Local network affiliates [interviewed us on-camera](#) and aired the [interviews](#) on morning shows and the evening news. *Missouri Lawyers Weekly* wrote an [in-depth profile](#) about our work, and I spoke with an Associated Press reporter for [a story about the increase in domestic violence following the storm](#). Much of this was made possible through our partnership with Equal Justice Works, which sent out press releases on our behalf and covered our work [on its blog](#).

Paying It Forward

Attorneys responding to a disaster generally have no prior experience with “disaster law” writ large because no one plans for this. No one plans for a disaster to strike one’s communities or clients. I have found the most useful resource to be attorneys who have lived through disasters. The legal services community is incredibly generous and helpful, and there is a real spirit of paying it forward. I reached out to legal services attorneys who responded to Hurricane Katrina, and I received invaluable advice. I, in turn, have given advice to attorneys responding to flooding in North Dakota and hurricanes on the East Coast. Thanks to Equal Justice Works, I also had the privilege of spending two weeks at MFY Legal Services in New York City [assisting clients affected by Hurricane Sandy](#). And, after the recent devastating tornadoes in Oklahoma, Legal Aid of Western Missouri immediately reached out to Legal Aid Services of Oklahoma to offer our advice and support. Zach and I plan to make several trips to Oklahoma in the coming months to lend a hand. I spoke with Legal Aid Services of Oklahoma’s executive

director on the phone just three days after the tornado, and he told me he had already been contacted by attorneys from around the country, including Joplin and New York. He commented that, besides giving practical tips, these calls made him feel like he was not alone. I have learned that every disaster is different in the details, but your personal connections will always be your most valuable resource. Reach out to and develop relationships with community partners meeting nonlegal disaster needs, local FEMA staff, and attorneys with previous disaster-law experience.



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