

25 Pro Tips for Working with FEMA: COVID-19 Edition

This is a summary from a webinar held on March 2021. This webinar was organized as part of the first-ever Disaster Resilience Awareness Month. For the full recording, please visit <https://www.youtube.com/watch?v=309bZRIZ6wE>



Minute	Pro Tips for Attorneys Representing Clients Before FEMA
1 3:35 Amanda	Do the inspection by video if possible. Since we are in a pandemic, FEMA is only doing virtual videos. It is better if they can see a video of the damage. Anyone can request a video call; the inspector will reach out to the client. A lot of the times clients will clean up most of the damage after taking photos. The client should ask the inspector if they can send the photos virtually.
2 4:45 Alejandro	Prepare yourself and your organization for remote work. All disasters have one thing in common: how, when, and where the work is done after hurricanes. Make sure all systems and resources are updated.
3 7:45 Brittanny	Request the Client's FEMA file ASAP. A lot of the information in the FEMA files can help with the appeal process. The file contains the detailed application, a 1-page summary of why the client was not accepted, and detailed comments from Customer Representatives, Handlers, and Inspectors.
4 11:04 Lisa	Develop relationships with FEMA before a disaster occurs. Get to know the FEMA representative that serves your area. Having an established relationship in advance of a disaster allows FEMA to let you know what kind of responses you might get during that time.
5 12:41 Kendall	Do not be afraid. There is a lot of information out there that leads to believe that we must have a full representation model when it comes to FEMA appeals, and that is not true. It is possible to get all the documents together, but it could take a lot of time. Have an outline or model of what an appeal is or what it must include and the guidelines for registrants after a disaster.
6 16:00 Amanda	Explain to clients they have a right to request a second inspection. Clients are entitled to a second opinion. If they are not happy with their first inspection, they can request another one.
7 17:08 Alejandro	Clients should inform FEMA and attorneys if they have the equipment needed for virtual inspections. FEMA needs to be notified beforehand if there is no way of doing a virtual inspection via email or other electronic ways. Our clients should also know how to use the programs to conduct a virtual inspection prior to an appointment.
8 19:58 Brittanny	Inform your client they can request inspections in their primary language. Make sure your clients get resources and letters in their corresponding languages. FEMA has inspection guidelines that detail how FEMA inspectors are supposed to conduct inspections if the client does not speak English.
9 23:05 Lisa	Reach out to FEMA immediately after the disaster so you can be involved in their Disaster Recovery Centers. The first days after a disaster are important and you can let FEMA know what legal aid can do. Some of the information we provide is how do you recognize if you have a legal problem? If you do, here is who to talk to. Getting that out in the first days is being proactive, not reactive.
10 25:27 Kendall	Be creative. Find alternative ways to get the documentation FEMA needs for the application and appeal process. For example, if the client's lease was damaged during a disaster, have the landlord sign a letter stating there was a lease in place.
11 27:36 Amanda	Elevate a matter to a FEMA Regional Administrator. If you have appealed several times and the denial reason is not accurate, reach out to the Regional Administrator. Most of the time the Regional Administrator will call back.
12 29:09 Alejandro	Educate, Educate, Educate. Educate your clients and potential survivors about the documents they will need to apply for FEMA. Help clients find ways to save this information prior to disasters.

13	31:50 Brittanny	Explain to your clients about interagency referrals with the SBA and Other Needs Assistance (if they are bifurcated in your state). Clients may not know how this process works. When there is a problem or gap in the referral with the agencies, it can cause a timely delay.
14	34:31 Lisa	Provide training to pro bono attorneys so that they are ready to respond in a disaster with FEMA cases. One issue that comes with every disaster is title issues. How can I prove my client is the owner of the property? Another issue is verbal leases on mobile homes.
15	36:30 Kendall	Do not give up. FEMA will give specific deadlines. Even though they appear as hard deadlines, there are some soft deadlines and extensions that may be available.
16	39:25 Amanda	Make sure you put identifying information on each page of the appeal. Clients should have all their information on every page of the appeal in case pages get mixed up during the review process.
17	40:45 Alejandro	Provide information to FEMA about cultural and social patterns of your clientele. There could be clashes between the client and FEMA that could adversely affect the client.
18	43:27 Brittanny	Request FEMA inspection guidelines. Explain information that is critical in these guidelines that assist in the representation of clients.
19	45:25 Lisa	If you are seeing systemic denials on one particular issue, reach out to your FEMA representative for guidance. FEMA can provide guidance on what the applicant needs to show to prove they are eligible.
20	48:03 Kendall	Use phone and online systems. Have your clients apply online, and if they cannot, provide them with the number to apply by phone. Ask to speak to a supervisor if you need clarity on what is going on.
21	50:11 Amanda	Tell your client to get contractor estimates and quotes on the contractor's letterhead. Letterhead needs to have contact information, address, and phone number. This helps to reduce contractor fraud and allows for the correct amount of reimbursement for clients.
22	51:00 Alejandro	Explain to clients that sometimes, to apply for FEMA, other legal issues should be addressed first. It is a lengthy process if there are not wills/title transfers in place before a disaster happens.
23	52:39 Brittanny	Advise clients they may be able to participate in an Other Needs Assistance Fair Hearing (if available in their state). Your client would have been denied twice by FEMA and then you can request an Other Needs Assistance Hearing if your client needs it.
24	54:38 Lisa	Remind clients that FEMA will audit some cases and explain the recoupment process. Make the client aware of the recoupment process so if they do get a letter, they are not caught off guard. Keep all receipts and everything related to disaster for 3 years.
25	55:16 Kendall	Understand the changes in the law. It is important to look at the significant changes to the Disaster Recovery Reform Act (DRRA). Educate yourself and know what your client should be entitled to.

25 Pro Tips for Working with FEMA: COVID-19 Edition was co-hosted by the American Bar Association Disaster Legal Services Program, Equal Justice Works, Pro Bono Net, and Lone Star Legal Aid, with speakers from different regions and organizations across the country. This program highlighted the strategies attorneys have used in responding to weather-related emergencies during the COVID-19 pandemic. The program was organized as part of the first-ever Disaster Resilience Awareness Month, an effort to increase visibility about the role of legal aid in disaster recovery and resilience and share information on how to get involved in national disaster legal aid efforts.

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