Nebraska’s COVID-19 Disaster Relief Hotline: A Legal Lifeline and Source of Hope during Trying Times

By Milo Mumgaard, Executive Director
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From the first days in March 2020, as the coronavirus moved quickly through rural meatpacking plants, nursing homes, and low-income communities, Legal Aid of Nebraska, like all legal services programs, was forced to quickly adapt to this fast-changing reality.

The closing of our offices and reopening as fully remote, telework operations across our geographically large state, also meant a suspension of walk-in self-help “Access to Justice” clinics and community collaborations — all part of Legal Aid’s commitment to taking its services into our client communities, rather than waiting for them to come to us. It also meant Legal Aid’s intensive community outreach and education programs, the cornerstone of our efforts to equitably reach all low-income Nebraskans, were put on hold. Further, it became apparent that our client community was exploding. Calls for our legal help would not just be from families long enmeshed in poverty; we saw that many thousands more Nebraska families would both need our help and be eligible for our services for the first time.

These fast-moving COVID-19 impacts on Legal Aid and our staff rolled through our organization like a spring thunderstorm booming across the Great Plains. Fortunately, Legal Aid’s long experience with disaster relief became the template for our response.

Since 2015, Legal Aid of Nebraska’s Disaster Relief Project has been a national leader in developing legal service options for victims of federal and state declared disasters. The project aims to address the civil legal needs of low-income Nebraskans both in the immediate aftermath of a disaster and on the long road to recovery. Through special Legal Services Corporation funding, the Disaster Relief Project, led by Managing Attorney Shirley Peng, has organized both online resources and the recruitment of a network of trained volunteer lawyers across the state. At the project’s website, victims of disasters are provided immediately useful legal rights information, with further connections to a wealth of resources. The project has also assembled a remarkable variety of volunteer attorney educational materials, handbooks, and trainings focused on the key legal issues victims face in a disaster.

Legal Aid’s Disaster Relief Project has also approached disasters with the understanding the legal needs landscape will change very quickly in the wake of a disaster, and the organized response must be able to act quickly, working with many partners, both legal and in the community. In that spirit, the project also readied a Disaster Relief Hotline, able to quickly take in client intakes for services, provide additional referrals for help, and serve as a critical resource in any disaster response.

The Disaster Relief Project and its Hotline was put to the test in March 2019. A rare “bomb cyclone” blizzard led to a vast flooding disaster devastating dozens of communities throughout Nebraska, impacting tens of thousands of low-income families across the state. The Disaster Relief Project mobilized and turned on the Disaster Relief Hotline, fielding calls from across the state. In doing so, the hotline became the central legal resource within the broader emergency response across the state. The project also quickly updated its social media and online resources; activated its trained pro bono panel of nearly 200 private volunteer attorneys; and Legal Aid staff were regular on-site presences in hard hit flooded areas.

One year later, the COVID-19 pandemic has again presented these same disaster characteristics. When disaster strikes, the vulnerabilities of low-income people are amplified, and the need for legal help is
Nebraska’s COVID-19 Disaster Relief Hotline

Continued from page 31

even more critical. Most low-income flood victims in 2019 were without adequate insurance, had limited resources, and lacked knowledge of their options. Housing, jobs, utilities, health care, transportation—all were turned upside down, and government disaster assistance, if it exists at all, has too often proven to be a long way off. In the current pandemic, vulnerable populations, again for reasons beyond their control, face similar uncertainties, with increasing threats of growing poverty and food insecurity. And the deeper we get into the COVID-19 pandemic, the more challenges we see regarding the health and economic hardships facing our clients: securing unemployment and related benefits, keeping a roof over their heads, guarding against abuse, and much more.

From the first indications of the impact of this pandemic, as Nebraska businesses and schools closed, Legal Aid knew it needed to again be the go-to, highly credible source of up to date legal information, advice, and counsel for not only low-income victims of the pandemic, but the organizations, civic leaders, and funders working on their behalf. Legal Aid staff determined a quick, efficient response to these demands was to once again turn on the Disaster Relief Hotline, this time focused on the legal needs of victims of the pandemic.

The rebranded COVID-19 Disaster Relief Hotline, using the disaster relief toll free number (1-844-268-5627) launched on March 25; related COVID-19 legal information resource pages developed for Legal Aid’s website were up and going even earlier, on March 19. This activation of the statewide Disaster Relief legal hotline to respond to the pandemic was one of only a few examples from across the country. The reason: Legal Aid was able to act quickly due to Legal Aid’s years of preparation for disaster response, and the fact Legal Aid has just lived through (and continues to respond) to a major, federally-declared flooding disaster in Nebraska. This all made turning the switch for the COVID-19 Disaster Relief Hotline relatively simple and easy.

The ease of implementation was also due to the use of Legal Aid’s Centralized Intake Unit to staff the COVID-19 Disaster Relief Hotline; this unit is composed of experienced intake paralegals and supervising attorneys with a background in all priority issue areas. As calls come in, the callers are screened for legal issue and LSC eligibility. Our experienced intake paralegals use the same protocols and procedures as for all Legal Aid of Nebraska intakes, and assist in English or Spanish (with language access for most other more common languages). Senior staff identified focused priorities for COVID-19 representation (“Any case arising from the COVID-19 pandemic including but not limited to: a job loss, reduction in hours or income, child care or school closure, stimulus payment, COVID-19 illness, etc.” or “eviction, debt collection, bankruptcy, threat to income, loss of home (real property), utility shut offs, denial or loss of state benefits, or access to health care since March 16”), and intake staff screen for immediate assistance in these areas. This experienced staff works through each issue, educates the caller on their rights and options, and helps identify next steps. If an applicant qualifies for Legal Aid, staff determines what legal assistance can be provided (advice to representation). If not eligible, referrals to other resources are made, including Legal Aid’s COVID-19 online resources (which include a wealth of self-help information). And this is all done remotely, with cloud-based Amazon “call center” technology installed to allow our centralized intake staff to do this big job from their homes.

The COVID-19 legal hotline is fully integrated with Legal Aid’s usual intake and casehandler assignment processes; if an applicant applies through one of our other intake hotlines, and have a COVID-19 related issue, they are treated the same as if they called the COVID-19 legal hotline. Callers who do not qualify for Legal Aid, or have certain legal issues (e.g., education problems), are referred to the Nebraska State Bar Association’s Volunteer Lawyer’s Project for placement with a pro bono attorney. Legal Aid’s case management system records each COVID-19 case issue, demographics, and respective outcomes, providing daily and weekly case data and trend lines for planning and research.

The key to the COVID-19 legal hotline’s effectiveness has been to insure wide and common knowledge about the free service. A major initial challenge has been, amid the deafening noise of the society-wide shut down and resulting economic fallout, how to get the word out about the COVID-19 legal hotline and its ability to help. How can we reach and connect to low-income Nebraskans most affected by the coronavirus, and help them understand Legal Aid is here to help? How can we best do so when COVID-19 restrictions limit access to our existing networks of community partners (homeless and domestic violence shelters, cultural community centers, workforce development
offices, libraries, food banks, etc.)? How to use social media effectively while also reaching those clients without internet access?

Legal Aid has thus turned, given these challenges, to tried-and-true methods not requiring in-person contact. Having pre-existing relationships with Nebraska's disaster community, including being at the table of the Governor's Disaster Task Force, being part of the state Voluntary Organizations Active in Disasters (VOAD), and having already trained stakeholders in spotting legal issues, has greatly helped to connect our services to the community. Our outreach in these COVID-19-restricted times has included traditional media releases and news articles, in print and on TV and radio (gaining coverage in both English and Spanish outlets, including “Univision Nebraska”); recurring social media postings; flyers distributed widely to courts and community partners; and a special focus on food pantries, to insure each family/household seeking food receives notice about the legal hotline. Legal Aid has seen a jump in cases called into the COVID-19 legal hotline after each marketing/promotional effort; we are now considering a statewide TV/radio push, in both English and Spanish, with the Nebraska Broadcasters Association. Further, in our close relationships with both the Nebraska State Bar Association and local bar groups, information is widely shared through the legal profession about the hotline, including opportunities to volunteer.

There is little question, though, these efforts must deepen and broaden as the pandemic rages on. Despite the risks, Nebraska courts continue to hear cases affecting our clients, and have generally not closed or modified many proceedings affecting Legal Aid’s client base. Despite a limited state-level moratorium through May, evictions have continued in fits and starts, including in Nebraska’s largest city (Omaha); as predicted, there is now a surge in eviction cases statewide, as widespread inability to pay rent meets the end of limited eviction protections. Demand for our legal services is ticking up, with much more to come.

In Nebraska, a particular challenge is also how best reach and represent low-wage “essential workers” in meatpacking and food production. A largely immigrant workforce, these low-wage employees, their families, and their communities have borne a gravely disproportionate impact from COVID-19. “Hotspots” of infection dot rural Nebraska and the Midwest, due to concentrated and vast meatpacking operations often employing over 4,000 workers in one plant, serving as effective spreaders of the coronavirus. As of June 22, it is reported over 27,000 meatpacking workers nationally have tested positive for the virus. Unfortunately, in Nebraska this industry data is not collected by the state, and Nebraska is only one of four states that does not record cases by race. Nevertheless, in Nebraska counties home to large plants, remarkable rates of infection (for example, as of June 20, Dakota County at 8,618 per 100,000; Saline County at 3,674) continue only slightly abated, as these “essential workers” keep this food chain in motion. Legal Aid’s Ag Worker Rights Program works closely with this clientele, including with community partner Heartland Worker Center, but reaching these workers and insuring their legal needs are met during the pandemic continues to be a challenge.

The calls coming in to Legal Aid’s COVID-19 Disaster Relief Hotline, reflecting the realities in our communities, continue to reflect the deepening economic crisis. Scared workers call with questions about their fear of contracting the coronavirus as they return to hazardous conditions. Unemployed service workers endlessly wait for benefits, and see health care vanish. Garnishments start to stack up, even though there is little income to pay. Renters call terrified they are facing imminent eviction. The COVID-19 hotline data has trended this direction for weeks, with employment and unemployment issues (including unemployment benefits) holding the greatest share of cases, followed by housing. Legal Aid’s response: use this data strategically to plan how to address the increasingly high demand on our services in the months to come (including new eviction defense projects in multiple counties). This disaster response is firm-wide, all-hands-on-deck.

As data from Legal Aid’s disaster-related response to COVID-19 comes in, there are other lessons already learned. Most obviously, Legal Aid had the good fortune to be prepared for such a moment; our Disaster Relief Hotline was in place, and had already proven itself in a major disaster. But for each of us, as we look to the uncertain future, incorporating disaster relief into each of our program planning should be second nature. Each of us must realize we cannot wait until the unexpected occurs; when it happens, have a system ready to go. The LSC-funded disaster relief community, including Legal Aid of Nebraska, is increasingly making that a reality, with templates for not only this kind of hotline but on how to build related online resources, conduct volunteer organizing, and collaborate with the Disaster Legal Services efforts at the ABA.

Continued on page 55
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Other lessons are more basic but are key to success. This includes keeping all protocols and procedures consistent with normal intake and case handling processes, to minimize training and errors. But there are many others (including but not limited to): creating a plan of action when the disaster hits; having a plan to promote the hotline; anticipating likely legal issues and experts within the organization to advise and lead; planning for a way to track applications, cases, and outcomes related to the disaster; planning for partnerships/referrals for cases your program cannot handle and/or are impact legal issues (in today’s pandemic, impact litigation related to evictions, unemployment benefit delays and problems, meat packing worker issues, issues in accessing the courts, and issues with courts continuing to hold eviction and debt hearings are the most likely); determining how and when to communicate about the issues facing low-income populations illuminated by the hotline; identifying funding needs and creating a funding plan, including informing state legislators and government agencies; and regularly convening a leadership team to go over issues, challenges, and progress on addressing the disaster.

This monumental disaster — the COVID-19 pandemic — is not only global; its wounds go down deeply into each of our low-income communities. It is a remarkable and singular event, with its scope and disproportionate impact. A disaster relief hotline may not serve others’ precise interests at this point, but in Nebraska it has given our clients (including now many new to the legal system) a ready way to access hope and opportunity. While the future is unknown, of course, we have one major takeaway right now: by taking a disaster relief approach, it allows us to target specific legal issues facing our low-income clients, address their immediate priority legal needs, and help them prepare for and obtain a long-term, resilient recovery. Legal Aid is truly a legal safety net during these times of crisis.

And as we look into the months ahead, Legal Aid’s role, and all of our roles within the legal system, is more important than ever.

1 Milo Mumgaard is the Executive Director of Legal Aid of Nebraska, the statewide provider of free civil legal aid to low-income Nebraskans. Prior to assuming this position in 2015, Milo served as General Counsel and Senior Policy Aide to Lincoln Mayor Chris Beutler; as an Associate General Counsel at the AFL-CIO; and as Founder and Executive Director of Nebraska Appleseed. He has a BA from the University of Nebraska-Lincoln, and a JD from New York University, where he was Editor-in-Chief of the NYU Review of Law and Social Change. Milo may be reached at mmumgaard@legalaid-ofnebraska.org.