

Profiles

Task Force on Disaster Preparedness and Response: A Stellar Inaugural Year

By Kathleen Strickland

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TIPS Chair Randy Aliment's 2011–2012 theme is Disaster Preparedness and Response. The Disaster Preparedness and Response Task Force was formed in partnership with Thomson Reuters' West LegalEdcenter, and developed that theme through teleconferences, webcasts, the task force blog, podcasts, articles, community service projects, law student writing competitions, and outstanding CLE programs at each of the fall, midyear, spring, and annual meetings. The task force also was responsible for acquiring new TIPS sponsors for these meetings, Exponent and Agility Recovery. The task force worked actively throughout the year with the ABA's Standing Committee on Disaster Preparedness. TIPS has been nominated for the Meritorious Service award for the work of the task force in combination with the TIPS Law in Public Service (LIPS) and Animal Law Committees. The nomination is sponsored by the Long Range Planning Committee.

Teleconferences. Disasters unfortunately are with us. All we can do is prepare for them. They have occurred in the past, and they will occur in the future. In commemoration of September 11, 2001, the task force sponsored 10 teleconferences hosted by various general committees on the following topics: "September 11th, Ten Years Later, Where Are We in the Handling of Mass Claims within the Legal System?," which featured Judge Alvin K. Hellerstein, Kenneth Feinberg, and Sheila Birnbaum; "The Call: Aviation Disaster Preparedness and Crisis Response"; "Ten Years Later: Mass Disaster Spawns Canine Heroes"; "The World Trade Center Rescue, Recovery and Clean-Up Mass Litigation"; "Disaster Preparedness–Disaster Recovery"; "International Approaches to Disaster Preparedness and Response"; "Changes in Insurance Underwriting and Claims Handling since September 11th"; "The Silverstein Properties Trial and the Issue of Contract Certainty in the Aftermath of September 11, 2001"; "September 11, 2001 Terrorist Attacks: Duties of Corporate Directors and Officers in the Preparation and Execution of Disaster Avoidance and Recovery"; and "Employment Issues When Disaster Strikes." Each of these programs was recorded and is available through Thomson Reuters' West LegalEdcenter. For more information, go to www.americanbar.org/groups/tort_trial_insurance_practice/disasterresponse.htm or <http://westlegaledcenter.com/link/ABATIPS/disasterresponse.l>.

Podcasts. The task force's podcasts, which will be 12 in number, are produced by Jill Mariani. The following is a list of the podcasts available for downloading through the TIPS website (noted above): "Disaster Awareness: What the ABA is Doing about It?," "Cyber Security—Terrorism, Crime, and Hostile States," "Cyber Liability Insurance," "Disaster Planning and Response: How Emergencies Challenge the Ethics and Continuation of Your Practice," "The Consequences of Disasters Caused by Negligent Acts," "Continuing the Business of the Supreme Court: When the Unthinkable Happens," "Preparing Your Employees to Cope with Disaster," "Adhering to the Rule of Law in a Pandemic Emergency," and "Judicial Disaster Preparedness." The final two podcasts will discuss foreign and domestic acts of terrorism and "Search Dogs: Some Heroes Have Four Paws."

Blog. Thanks to Larry Schiffer, assisted by Madeline Meacham, the task force is also active on the social media front. Besides having a Twitter hash tag #DPRI, the task force maintains a blog at <http://disasterpreparednessandresponse.blogspot.com/>. Members of the task force have been blogging about task force programming and disaster preparation and response on a regular basis. Topics have ranged from cyber terrorism to the recent tornadoes and floods, and from Hurricane Katrina to information on how to prepare for a disaster if you have a pet. The blog allows task force members to comment on all aspects of disaster preparedness and response while at the same time highlighting the programming that TIPS has offered, both at the committee and task force levels.

The blog's home page contains a list of resources and links of value to TIPS members and those interested in disaster preparedness and response. The bottom left side of the page features a list of links to disaster resources, including the ABA's Special Committee on Disaster Response and Preparedness, the Federal Emergency Management Agency, the American Red Cross, ProtectingAmerica.org, and many other organizations involved in disaster preparedness and response. The bottom right side of the blog home page features information about the task force and its programming, including a complete list of all the podcasts with live links. The blog home page links to the TIPS disaster initiative home page on the TIPS website. Visit the task force blog today and post a comment.

Community service projects. The task force distributed emergency preparedness packets to citizens who attended community service projects conducted at each of the Section's quarterly meetings this year. The packets contained a list of informational items individuals should identify and load onto the zip drive included in the packet to be prepared ahead of any disaster. Disaster preparedness kits were distributed at the pit bull vaccination clinic during the midyear meeting in New Orleans and the Burke Middle School disaster program during the spring meeting in Charleston. They also will be distributed at the Chicago Pet Clinic during the annual meeting on Saturday, August 4. The task force appreciates the work of the Animal Law Committee and LIPS for their efforts under the leadership of Patricia Hughes. We hope these efforts will assist in bringing our message of disaster preparedness to the local communities.

Live CLE programs. At each TIPS quarterly meeting, excellent CLE programs were presented. The fall meeting emphasized disasters caused by cyber terrorism and included three panels: "Does a Sufficient Cyber Security Framework Exist?," "Government

Response Panel,” and “Insurance Protection for Cyber Liability Risks and Security Breach Disasters.” TIPS also partnered with the Trade Development Alliance of Greater Seattle and presented a program on port security titled “The Business Case for Secure Ports.”

The midyear meeting featured CLE programs on disasters caused by negligent acts. Panelists addressed the Deepwater Horizon oil spill in “BP and Beyond: Litigation and Claims Following Mass Disasters” and the aftermath of New Orleans’ 2005 nightmare in “When the Levees Broke: Lessons Learned from Judicial and Governmental Response to Hurricane Katrina.” The Katrina program was made available online at no charge for 30 days to all TIPS members as well as to all ABA members. The program featured Magistrate Judge Karen Wells Roby, U.S. District Court for the Eastern District of Louisiana, and Judge Madeleine Landrieu, Fourth Circuit Court of Appeal, 1st District, Division F, Orleans Parish, Louisiana.

The TIPS spring meeting featured programs on disasters caused by nature. The speakers were mayors of two cities that experienced devastating natural disasters: Mayor William Bell of Birmingham, Alabama (2011 tornado) and Mayor Joseph Riley of Charleston, South Carolina (Hurricane Hugo). The program also included the chief counsel for FEMA. This program was followed by a panel of experts, including a federal judge, an engineer, a senior American Red Cross representative, and the National Director of ProtectingAmerica.org, who discussed how to manage and prepare for future disasters.

Other CLE programs at the spring meeting addressed advising businesses on preparedness, working with experts in disaster-related litigation, handling disaster claims, and confronting foreseeable ethical problems: “Anatomy of a Catastrophe Insurance Claim,” “Second Responders: Experts from Investigation to Daubert,” “Will You Be Prepared When Disaster Strikes? Critical Information for Lawyers and Their Clients Regarding Business Continuity Planning and Post Catastrophe Business Interruption Issues,” and “Potential Ethical Missteps and Solutions: Lawyering after Natural Disasters.”

The theme of the CLE program at the annual meeting is disasters caused by terrorism. Among many others, the speakers will include Chicago’s Mayor Rahm Emanuel. We look forward to greeting you there. Finally, while many hands have contributed to the work of this task force—for which we say a huge “thank you!”—none of the accomplishments described in this profile would have been possible without the constant dedicated efforts of the ABA staff members who have assisted the Disaster Preparedness and Response Task Force with every detail to achieve the many successes of this inaugural year. The concept originated with Randy. It has been our pleasure to implement it. Thank you to everyone involved. We will see you soon in Chicago!