

Serving Victims of Crime Series

Elder Justice - Funding & Delivery Models

Friday, May 1 at 2 p.m. ET

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Today's Presenters

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NLADA
National Legal Aid &
Defender Association
nlada.org

Agenda

1. Introduction
2. HHS ACL
 - Support for legal assistance for older Americans –LAEP and NCLER and more
 - Elder rights and elder justice – strengthening capabilities and partnerships
3. SeniorLAW Center
 - Profile of funding sources
- Elder Justice VOCA Initiatives
4. Indiana Legal Services
 - About LAVA Project, funding, and community outreach
5. Legal Services of North Florida
 - Conceptualizing their work, identifying partners, implementing the project
6. Q & A

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Hilary Dalin

Director, Office of Elder Justice and Adult Protective Services

Administration for Community Living, U.S. Department of Health and Human Services



Legal Assistance Enhancement Program

- The purpose of ACL's Legal Assistance Enhancement Program (LAEP) is to strengthen and enhance the effectiveness and efficiency of legal assistance programs serving older Americans **because**
- Legal assistance enables older Americans to assert their rights and remove barriers to their economic and personal independence and self-determination.
- Learn more- <https://ncler.acl.gov/> and <https://youtu.be/cbxVwBdR26A>

ACL Resources!

- National Center for Law and Elder Rights (NCLER (pronounced with a “hard” C)
 - Core functions –
 - Training – basic and advanced
 - Technical assistance
 - Case consultations – to legal assistance
 - Legal assistance capacity building
 - Learn more – www.ncler.acl.gov and <https://www.youtube.com/watch?v=cbxVwBdR26A&feature=youtu.be>

More Resources – COVID 19 and legal assistance

- ACL: [COVID-19 Page](#)
- NCLER: [COVID-19 Resources](#)
- NCLER Case Consultations:
ConsultNCLER@acl.hhs.gov
 - Available for substantive issues and consultations about legal services delivery

Elder Justice Toolkit

NATIONAL
CENTER ON
**LAW &
ELDER
RIGHTS**

Elder Justice Toolkit

Practice-oriented, national online resource with information on pursuing civil legal remedies in elder abuse cases, practice tips, and sample documents for attorneys.

Contribute to the Toolkit! Customize a state-specific financial exploitation guide, or share your documents, letters, and pleadings at ConsultNCLER@acl.hhs.gov.

ncler.acl.gov





SeniorLAW Center

Protecting the Rights of Older Pennsylvanians

Karen Buck

Executive Director

SeniorLAW Center



NLADA

National Legal Aid &
Defender Association

nlada.org



Our Mission

We seek justice for older people by using the power of the law, educating the community and advocating on local, state and national levels.



- **Nonprofit organization** of 35 diverse attorneys and advocates, serving approximately 10,000 older people each year to promote access to justice
- **Legal representation, education, advocacy for PA seniors**
- All our services are free
- Targeting seniors in **greatest social & economic need**
- **Over 10 special projects:** homeowners rights, tenant rights, veterans, life planning, medical-legal partnership, kinship care, court-based programs, PA SeniorLAW HelpLine, and elder abuse and victim services
- Expansive **pro bono** projects
- **Statewide, local and national systemic advocacy**



- Title IIIB provider in Philadelphia
- ACL grantee for Legal Assistance Enhancement Program
 - Justice for Grandparents Raising Grandchildren in PA
- JAG programs (veteran victims, statewide elder victim technical assistance for new elder victim programs)
- DOJ LAV
- CDBG (foreclosure diversion services)
- VOCA recipient (one of largest in PA, one of first in country for older victims)
 - PA Comm'n on Crime & Delinquency a leader in serving older victims



ELDER JUSTICE VOCA INITIATIVES

Project S.A.F.E.

(Stop Abuse and Financial Exploitation)

- Launched in 1996, one of the first civil legal services programs in the country to serve victims of elder abuse
- Broad-ranging Legal and Supportive Services for Diverse Victims



ELDER JUSTICE VOCA INITIATIVES

PROJECT S.A.F.E. provides:

- Free legal representation and counsel to end abusive situations for older victims and to stop financial exploitation and seek restitution for older victims
- Supportive services and outreach/education to identify older victims
- Partnerships with victim services colleagues, law enforcement, aging network, protective services, the courts and others
- Home, hospital and nursing home/long-term care visits
- Victim Compensation (VCAP)
- Holistic connections to supportive services: financial, health, housing, more
- 8 Community Clinic and Intake Sites in diverse neighborhoods



ELDER JUSTICE VOCA INITIATIVES

KEEPING ELDER VICTIMS OF FINANCIAL ABUSE S.A.F.E.

- Expanded services to primarily rural and suburban surrounding counties (Bucks, Montgomery, Delaware and Chester)
- Providing emergency legal advocacy, representation and interventions **for elderly victims of financial exploitation**, including protection from and remedies to address complex financial exploitation, identity theft, fraud and other crimes.



ELDER JUSTICE VOCA INITIATIVES

JUSTICE AND ECONOMIC SECURITY FOR OLDER VICTIMS

Further expanding our services in all five counties to address **ancillary legal issues resulting from the abuse and/or exploitation** which bar these victims from being independent and safe, including opening more community-based offices in rural and suburban counties.



ELDER JUSTICE VOCA INITIATIVES

KEEPING ELDER VETERANS AND LIMITED ENGLISH PROFICIENT VICTIMS S.A.F.E.

Enhanced services to **Elder Veteran Victims** (particularly those suffering from mental health issues and PTSD) **and to LEP Victims** experiencing elder abuse and/or financial exploitation who face barriers to accessing the justice system.



COVID-19 RESPONSES

- Emergency Responses during court closures
- Advocacy with courts (Phila. and statewide) re: access for victims during court closures
- PA Supreme Court Elder Justice Advisory Council
- PA Secretary of Aging
- Expanded PA SeniorLAW HelpLine hours & capacity
- Health & Wellness Questionnaire for all clients
- Systemic Advocacy
- SeniorLAW Center COVID-19 Fund for Older People
- Virtual education, videos, 1-pagers re: COVID-19 and Older People on the most pressing issues, media: tele-town halls/social media/print/radio/virtual press conferences



SeniorLAW Center
Protecting the Rights of Older Pennsylvanians

We Are Open & Advocating for Older People During the COVID-19 Pandemic

In response to the Governor's directive, all of SeniorLAW Center's physical offices are closed, but we continue to provide services to our older clients and communities who are disproportionately impacted by this crisis. All staff are working and accessible remotely.



Those needing our services should contact us by phone at:

- 215.988.1242 (Philadelphia)
- 610-910-0210 (Bucks/Montgomery)
- 610-910-0215 (Delaware/Chester)
- 1.877.PA SR LAW (1.877.727.7529) (statewide)

Areas of Law Include:

Fraud/Bank Account Issues
Illegal Lockouts/Evictions
COVID-19 Scams
Emergency PFAs

Emergency Custody
Elder Abuse
Social Security/Income
Utility Shut Offs

80
%

of U.S. COVID-19 deaths to date are older people, 65 years of age and older. Join us in making extra efforts to ensure the older people in our lives are safe, healthy and connected.

Visit www.seniorlawcenter.org for important resources and information for older people.



SeniorLAW Center

Protecting the Rights of Older Pennsylvanians

HOW SENIORS CAN STAY SAFE DURING COVID-19

You can still get a Protection for Abuse (PFA) or Protection from Sexual Violence or Intimidation (PSVI) orders even though Pennsylvania Courts are closed.

You can ask for the Court to evict the abuser from your home even with Pennsylvania stay-at-home orders in place.



Call SeniorLAW Center

215.988.1242 (Philadelphia)

610-910-0210 (Bucks/Montgomery)

610-910-0215 (Delaware/Chester)

1.877.PA SR LAW (1.877.727.7529)

(statewide)

If your PFA hearing has been continued, your Temporary PFA Order remains IN EFFECT until your next court date.

If you are homebound or have other health issues and need help accessing the Court safely to file for protection from your abuser during the COVID-19 pandemic, call us today! SeniorLAW advocates are here to provide advice, assistance and other resources in your county.

Visit www.seniorlawcenter.org for important resources and information for older people.



SeniorLAW Center
Protecting the Rights of Older Pennsylvanians



DON'T BE THE VICTIM OF FRAUD, SCAMS OR EXPLOITATION DURING COVID-19

- ✓ There is no cure, vaccine or treatment to stop the virus. Ignore online offers or phone calls for vaccinations or test kits.
- ✓ Watch out for scammers offering COVID-19 tests to Medicare beneficiaries in exchange for personal details, including Medicare information.
- ✓ Watch out for shopping hoaxes where scammers create fake stores or websites selling medical supplies, hand sanitizer or toilet paper.
- ✓ Don't give out social security numbers or personal information to callers or online offers to speed up the processing of your stimulus check for a fee.
- ✓ Some scammers are promising that you can refinance your mortgage or obtain thousands of dollars from COVID-19 relief programs – for a fee.
- ✓ Scam emails often look legitimate. Don't open an attachment or link from an unsolicited email!

Report any suspicious activity to the police.

SeniorLAW Center advocates are here to provide resources, advice, assistance or representation to victims of scams and elder abuse.

Call SeniorLAW Center

215.988.1242 (Philadelphia)

610-910-0210 (Bucks/Montgomery)

610-910-0215 (Delaware/Chester)

1.877.PA SR LAW (1.877.727.7529) (statewide)

Visit www.seniorlawcenter.org for important resources and information for older people.



SeniorLAW Center
Protecting the Rights of Older Pennsylvanians

Safety Checklist to Keep Older Victims Safe During the COVID-19 Pandemic

Safest room – A room or area in your home that is safest for you during an argument or crisis.

Access – Do you have access to a cell phone, landline or lifeline button to call for help?

Funds – Hide emergency money somewhere/make sure your debit card/credit card is safe.

Exchange code words to communicate to a family member, aide or neighbor that you need help.

Telephone numbers of friends, relatives and trusted helpers –keep them close by.

Your important documents, assistive aides, medication, classes – keep them safe and secure.

Call us with your legal questions and concerns!

215.988.1242 (Philadelphia)

610-910-0210 (Bucks/Montgomery)

610-910-0215 (Delaware/Chester)

1.877.PA SR LAW (1.877.727.7529) (statewide)

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SeniorLAW Center

Protecting the Rights of Older Pennsylvanians

GRANDPARENTS RAISING GRANDCHILDREN DURING COVID-19

Important Information for Older Adults Caring for Children

FAMILY COURT IS CLOSED UNTIL MAY 29, 2020

- The nursery is **CLOSED**: All supervised visits are suspended
- All hearings scheduled during the closure will be automatically rescheduled by the Court



Call our PA SeniorLAW HelpLine:
215-988-1242 (Philadelphia)
1.877-PA SR LAW (Statewide)
1-877-727-7529

Despite court closures, existing orders are in FULL EFFECT:

- **Custody**: You should follow the Order if you can. If you have questions due to COVID-19 concerns, please call us.
- **Protection From Abuse**: Your Temporary Order remains **VALID** until your next court date.

You CAN file for EMERGENCY custody or protection from abuse during the Court closure.

*If you have questions, or want to know your rights,
Contact us for FREE legal advice and services.*



SeniorLAW Center

Protecting the Rights of Older Pennsylvanians

Older Adults & Evictions During COVID-19

There is an eviction lockout freeze currently in effect.

In order to legally evict you, your landlord must go through the court system and receive a court order for your eviction. Court orders allowing evictions have been temporarily suspended.

Any evictions being performed at this time are illegal.



Those needing our services should contact us by phone at:

- 215.988.1242 (Philadelphia)
- 610-910-0210 (Bucks/Montgomery)
- 610-910-0215 (Delaware/Chester)
- 1.877.PA SR LAW (1.877.727.7529) (statewide)

An Illegal Eviction May Include:

- Changing the locks on your apartment or building.
- Shutting off your utilities.
- Removing your possessions.

If you are evicted at this time, you should call 911 and report an illegal eviction.

If you are over 60 years of age and need legal advice or interventions, please call SeniorLAW Center.

Visit www.seniorlawcenter.org for important resources and information for older people.



SeniorLAW Center

Protecting the Rights of Older Pennsylvanians

Critical Concerns for Older Homeowners During the COVID-19 Crisis

- The Courts in Philadelphia are Closed through 5/29/2020.
- All Courts in Pennsylvania are Closed At Least Until 4/30/20.
- Filing to foreclose a government backed mortgages is stopped until at least 5/18/2020.
- PNC and Citizens Bank declared a grace period on mortgage payments until at least 7/1/2020.
- Call your mortgage company now for help! Keep a record of time, date of your call and the name of the person you spoke to.

Tips for Older Homeowners



Open Your Mail! Your mortgage company can send you a loan modification as soon as the first mortgage payment is late.

Tax deadline extended to April 30, 2020: for paying 2020 property taxes or requesting installment agreement.

Visit www.phila.gov/real-estate-relief
BEWARE OF SCAMS: Avoid pitches from door to door salesmen and home repair contractors! Don't pay cash and don't sign a contract containing blank spaces.

Loan Modifications: call the Save Your Home Philly Hotline at 215.334.4663

Call us with your legal questions and concerns!
215.988.1242 (Philadelphia)
610-910-0210 (Bucks/Montgomery)
610-910-0215 (Delaware/Chester)
1.877.PA SR LAW (1.877.727.7529) (statewide)

Visit www.seniorlawcenter.org for important resources and information for older people.



SeniorLAW Center

Protecting the Rights of Older Pennsylvanians

COVID-19 RESOURCES FOR OLDER LGBTQ PEOPLE

According to THE NATIONAL RESOURCE CENTER ON LGBT AGING, LGBT elders are already less likely than their heterosexual and cisgender peers to reach out to health and aging services providers, like senior centers, meal programs, and other programs designed



to care for their health and wellness, because of the discrimination and harassment.



SENIORLAW CENTER CAN HELP!

Those needing our services should contact us by phone at:

215.988.1242 (Philadelphia)

610-910-0210 (Bucks/Montgomery)

610-910-0215 (Delaware/Chester)

1.877.PA SR LAW (1.877.727.7529) (statewide)

Areas of Law Include:

Fraud/Bank Account Issues

Emergency Custody

Illegal Lockouts/Evictions

Elder Abuse

COVID-19 Scams

Social Security/Income

Emergency PFAs

Utility Shut Offs

FOR ADDITIONAL RESOURCES VISIT THESE SITES

[SAGE USA](https://www.sageusa.org) – 1.877.360.LGBT

[National Resource Center on LGBT Aging](https://www.nrcra.org) – 212.741.2247

[The National Center for Transgender Equality](https://www.transgenderequality.org) – 202.642.4542

Visit www.seniorlawcenter.org for important resources and information for older people.



SeniorLAW Center
Protecting the Rights of Older Pennsylvanians

Are You A Senior Caring For A Child? Designate a Standby Guardian!

If you have custody of a minor, you can easily designate a “standby guardian” or “co-guardian” in case you are sick or hospitalized



*No Court Hearing

*No Notary Required

*Avoid Gap In Childcare

For questions or assistance, please contact us:
1-877-PA SR LAW (1-877-727-7529)
OR
215-988-1242 (Philadelphia Residents Only)

A standby guardian would take over childcare responsibilities completely, while a co-guardian would share the duties with you in the case of a “triggering event” of your choosing.

You can define the triggering event as illness or incapacity. In the wake of COVID-19 this is an easy way to plan ahead and secure childcare in case of an emergency.

80
%

of COVID-19 deaths in the U.S. have been people age 65 and older. Our goal is to ensure our older neighbors are safe, healthy, and informed.

seniorlawcenter.org for important resources and information for older people.

Jessica Brock

Staff Attorney, LAVA Project

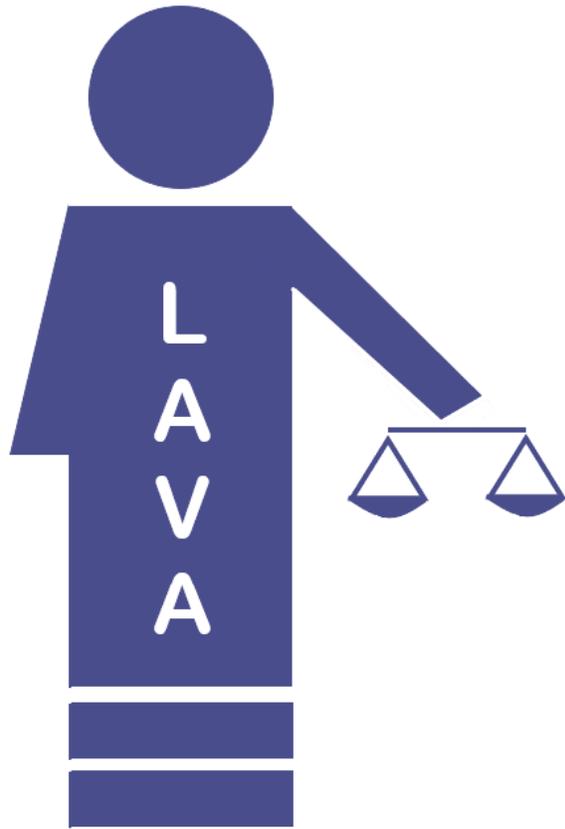
Indiana Legal Services



Indiana Legal Services, Inc.
Ensuring Equal Access to Justice



NLADA
National Legal Aid &
Defender Association
nlada.org



The LAVA Project at Indiana Legal Services

Presentation by:

Jessica L. Brock, J.D. LL.M. – Staff Attorney

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Indiana Legal Services, Inc.'s – LAVA Project

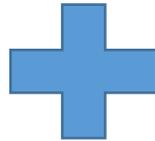
What is the LAVA Project?

LAVA Project – Who is eligible?

#1

Victim of a crime

Doesn't have to be charged or prosecuted



#2

Senior

Age 60 or older

OR

Endangered Adult

1. Age 18+
2. Incapable by reason of: mental illness, developmental/intellectual disability, dementia, other physical or mental incapacity
3. Harmed or threatened with harm as a result of abuse, neglect, or exploitation

Other General Requirements Include:

- Capacity to retain legal counsel

LAVA Project – Examples of Cases We Take

- Fiduciaries
 - Unnecessary or abusive guardianships
 - Revocation and Accountings under Power of Attorney
- Trusts/Estate Planning
 - Vulnerable elder and complicated estate plan
- Domestic Violence/Stalking/Harassment
 - Orders for Protection
 - Dissolution
- Unwanted Houseguests
 - Orders for Protection/Eviction
- Financial Exploitation
 - Contractors
 - Family members and caregivers

Creating the Project

How did the LAVA Project start?

- NLADA meeting in Chicago
- Need for Elder Abuse Project
- Need to Empower Victims
- Support from APS

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IN TODAY'S
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THE SUNDAY STAR

ISSUE: THE GREAT OF THE GREATS
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PART OF THE USA TODAY NETWORK

SUNDAY, JANUARY 16, 2011 1:00 PM EDT
A \$1.00 BUYER'S GUIDE

INDYSTAR INVESTIGATION

'A DAY AWAY FROM EXPLODING'

Underfunded, overburdened agency responsible for protecting state's most vulnerable adults instead keeps many at risk

By **Markus Kucharski**
markus.kucharski@indy.com

They shared in the gift of Bobbi
Horn's wisdom.

Each time Horn, a senior practitioner,
visited 76-year-old Walter Horn,
she found her patients concerned in some
and fewer. In fact, some
there were tears. And
Horn was being?

She said it that she
wasn't being taken care
of.

Horn's presence,
Dr. Timothy Kucharski,
and other have had a
profoundly shared
Horn's agency about the
deliberate choice, who
but at least a doctor
ing under and under
has earned her.

They, they told Ind-
ustryInvestigation ser-
vices, the state agency
responsible for protect-
ing vulnerable adults.
But they thought Horn
was being abused by her
granddaughter. But the
LPS investigator never
got in the door.

More than 100
thousands of the state's
elderly and disabled
depend on the LPS
investigator.
The agency's budget is
less than \$10 million.
The agency's staff is
less than 100 people.
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By **Markus Kucharski**



Walter Horn (right) talks with his daughter, for whom she is a guardian, during a visit with his wife and her husband, John Horn, an investigator with Indiana Legal Services, a service providing care for vulnerable adults in the Hoosier State. Horn, 76, is a disabled and blind man. The 76-year-old is an unpaid caregiver to about 200 people who do not have family members or friends able to help them.

STATE OF MIND

State of Mind is a non-fiction series in
which the two authors take about the
best of America, the agency charged with
protecting the state's most vulnerable adults.

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INDIANA LEGAL SERVICES, INC.
The LAVA Project
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Funding Sources

How is the LAVA Project funded?

Funding Sources



Things that Strengthen our Applications

- Meeting an unmet need
- Strong client stories
- Indiana Legal Services' resources and standing in the community
- Dennis Frick's experience and standing in the legal community
- Letters of Support from community partners
- National presentations
- Media coverage
- Coalition membership and building (example, IN-CASE)

Community Outreach

- Coordinate with :
 - APS and Area Agencies on Aging
 - financial institutions, police departments (roll call and otherwise)
 - places of worship
- Try to participate in multi-disciplinary panels when presenting
 - APS
 - Police and Fire
 - Financial Institutions

Contact Information

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Legal Services
of NORTH FLORIDA

Leslie Powell-Boudreaux

Executive Director

Legal Services of North Florida



NLADA
National Legal Aid &
Defender Association
nlada.org

FLORIDA LEGAL AID ENHANCEMENT PROJECT

LEGAL SERVICES OF NORTH FLORIDA

LEGAL SERVICES OF GREATER MIAMI

PITCHING THE CONCEPT

Florida's Department of Elder Affairs had successfully implemented Model Approaches grant-funded projects over the past several years.

Three years of impactful hurricanes posed the question – what about those elders facing the most critical of circumstances – disaster, congregate and nursing home care, homelessness, economic exploitation, elder abuse.

Both Legal Services of North Florida and Legal Services of Greater Miami had faced a major hurricane and were each seeing these critical needs in our client population.

WRITING THE SCRIPT

- Intake: Coordinate the Risk Assessment Tool with Florida Online Intake
- Outreach: Develop Comprehensive Tools to improve both how we do outreach and the depth of relationships with other providers
- Direct Legal Assistance: Represent these critical needs seniors; Increase knowledge through enhanced training programs (that may also support increased pro bono involvement).
- Essential partnerships: Who needs to be at the table for this to be a success?
 - Other Partners: Florida Senior Legal Helpline, Florida Health Justice Network, National Consumer Law Center, local Area Agencies on Aging, Florida Bar Foundation, and more!

FILMING: THE ONE WHERE WE HAD TO QUARANTINE

Character Development:

Hiring, Project Plan Revisions, Logic Plan Development, Agreements/ Memoranda of Understanding, etc.

The wise mentor:

Administration for Community Living and collaborative grants

The plot twist:

COVID-19 – the challenges of outreach to elders, of relationship building remotely, new legal issues, impact on congregate care and institutionalized elders, hidden abuse.

The cliffhanger:

What's next? How will it end?



STAY TUNED

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Q & A