

The Older Americans Act in Action: Building & Cultivating Your Elder Law Program

Sarah Galvan, Justice in Aging

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Housekeeping

- All on mute. Use Questions function for substantive questions and for technical concerns.
- Problems getting on the webinar? Send an e-mail to NCLER@acl.hhs.gov.
- Written materials and a recording will be available at NCLER.acl.gov. See also the chat box for this web address.

About NCLER

The National Center on Law and Elder Rights (NCLER) provides the legal services and aging and disability communities with the tools and resources they need to serve older adults with the greatest economic and social needs. A centralized, one-stop shop for legal assistance, NCLER provides Legal Training, Case Consultations, and Technical Assistance on Legal Systems Development. Justice in Aging administers the NCLER through a contract with the Administration for Community Living's Administration on Aging.

About Justice in Aging

Justice in Aging is a national organization that uses the power of law to fight senior poverty by securing access to affordable health care, economic security, and the courts for older adults with limited resources.

Since 1972 we've focused our efforts primarily on populations that have traditionally lacked legal protection such as women, people of color, LGBT individuals, and people with limited English proficiency.

Key Lessons

- The population of older adults in poverty is growing & in need of quality legal assistance.
- Legal assistance programs can evaluate their current structure & services to determine how best to prioritize services and reach those in greatest need.
- Innovations in legal services delivery, collaboration, and outreach are tools for building a robust elder law program.

7.1

+ 1M
MORE
IN NF

M I L L I O N

SENIORS IN POVERTY

Per Supplemental

P o v e r t y M e a s u r e

Legal Needs of Older Adults

56% Had at least one legal problem in a year period

10% Had 6+ legal problems in a year period

How Can We Meet the Need?

- Legal assistance programs:
 - Strive to serve the varied and numerous legal needs of older adults
 - Prioritize issues faced by older adults in poverty
 - Look for ways to grow capacity & improve efficiency
- Aging services providers:
 - Develop a practice of screening for legal problems
 - Establish relationships & referral systems with local legal services providers

Evaluating Your Program

Assessing Your Program

Is your program:

- Reaching the people who need help the most?
- Providing the types of civil legal services that older adults need?
- Taking a collaborative & holistic approach to grow capacity?

Internal vs. External Data

- Internal Data
 - Information & reports from your case management system
 - Other information tracked within your office
- External Data
 - Census data, community & organization reports, government reporting

Sources of External Data

- Administration for Community Living: AGing Integrated Database
 - includes state program reports and census databases
- Legal Services Corporation Justice Gap Report
- Census Bureau
- And more!

Local Sources of Data

- Community or health survey reports from your county
- State or local Office for the Aging or Area Agency on Aging needs assessment reports
- State Long-Term Care Ombudsman reports
- AARP local chapter survey reports on various topics and demographics

What Can This Data Tell You?

- Comparing your internal data on services provided to external data on need can help you identify service and population gaps within your program
 - Example: Does your community data show high numbers of property tax foreclosures for older adults? Are you providing these housing services?
 - Example: Do certain zip codes in your community show high poverty rates for older adults? Are you providing sufficient services in those counties?
- Can also generate ideas for new funding sources

Action Items: Evaluate Your Program

1. Run reports in your case management system for clients 60 years and older, looking at zip codes, case type, service level, etc.
2. Gather your local census data.

Priority Case Types

Older Americans Act & Priority Case Types

(State Plans)

Section 307 (a)(11)(E) the plan contains assurances that area agencies on aging will give priority to legal assistance related to **income, health care, long-term care, nutrition, housing, utilities, protective services, defense of guardianship, abuse, neglect, and age discrimination.** (42 U.S.C. 3027) (emphasis added)

External Data on Case Types

- Most common civil legal problems faced by older adults (from Legal Services Corporation & New England Journal of Medicine)
 - Health (33%)
 - Consumer & Finance (23%)
 - Income Maintenance (13%)
 - Elder Abuse (10%)
- Go beyond advanced planning
 - Consider the role of pro bono attorneys for these services



Addressing Gaps in Services

- Collaborations with partner organizations that provide related services
- Training on specific legal topics
 - Issue-spotting training for legal staff, intake staff, and non-attorney partners
- Exploring new program structures for your elder law program

Older Americans Act & Expertise

- Section 307 (a)(2)(B) – Area agencies must provide Title III-B legal assistance through entities that are best able to provide legal assistance services to older persons in economic or social need.
- See also ACL Regulations on Legal Assistance: §1321.71 (c) 1-5

Building Expertise

National Center on Law & Elder Rights

American Bar Association's Commission on Law & Aging

Department of Justice Elder Justice Initiative

Practicing Law Institute

Law Help

National Aging & Law Conference

Evaluate Program Structure

- Changes that could impact your reach and grow expertise
 - Staff allocations & training
 - Services best suited for pro bono & clinics
 - Working with helplines & hotlines
- Think about funding sources that cover services needed by older adults, even if the opportunity is not specific to older adults

Action Items: Priority Case Types

3. Review your current brochure for services to highlight
4. Look through the substantive trainings offered on NCLER and PLI- pick one or two that you will do in the next month and calendar them.
5. Calendar upcoming conference dates- be sure to set reminders for scholarship deadlines.

Reaching Older Adults

Greatest Economic & Social Need

Section 102: The term “greatest economic need” means the need resulting from an income level at or below the poverty line.

The term “greatest social need” means the need caused by noneconomic factors, which include—

(A) physical and mental disabilities;

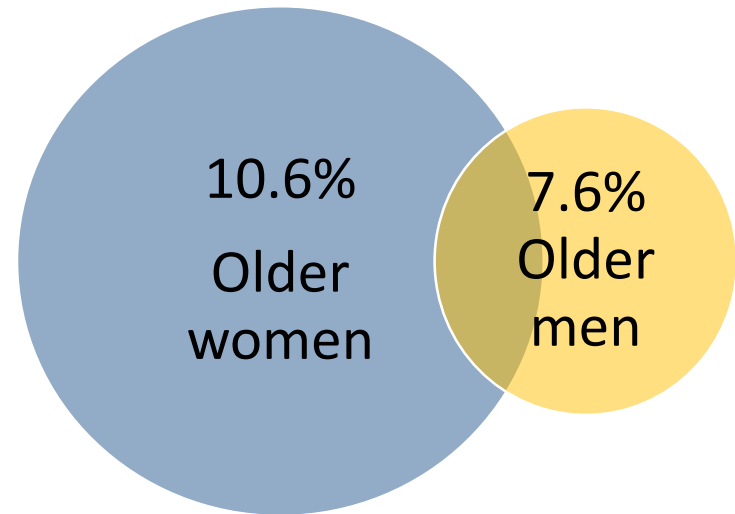
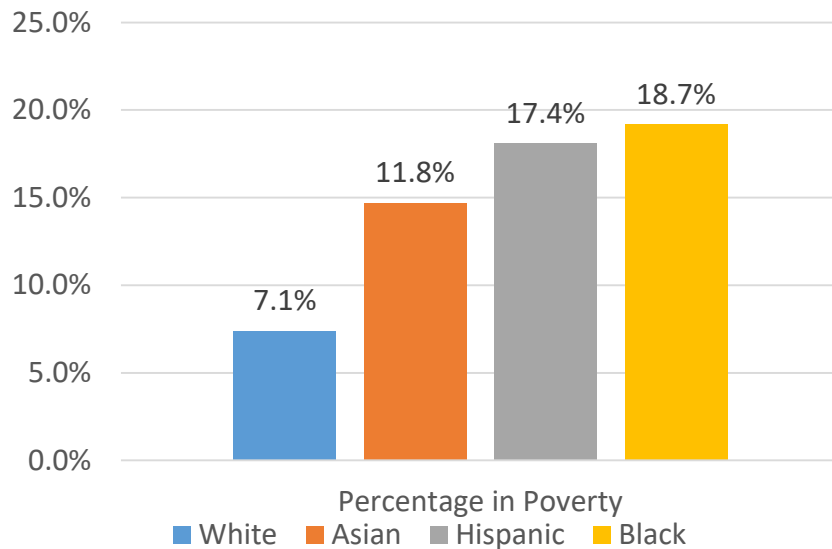
(B) language barriers; and

(C) cultural, social, or geographical isolation, including isolation caused by racial or ethnic status, that—

(i) restricts the ability of an individual to perform normal daily tasks;
or

(ii) threatens the capacity of the individual to live independently.

OLDER WOMEN AND PEOPLE OF COLOR PARTICULARLY IMPACTED BY POVERTY



Administration on Community Living,
“A Profile of Older Americans: 2017”

NATIONAL NUMBERS

Diverse Populations in Need of Services

- 1.5 million LGBT older adults - will double by 2030
- Older minority populations will increase by 200%
- 5 million of America's older adults are limited English proficient ("LEP")
- Outreach & collaboration can be key to reaching diverse populations of older adults
 - Top reason cited for not seeking legal help was not knowing where to look or what resources were available

Collaboration: Aging Services

- Essential collaboration partners include the aging services providers in your area- locate them with ElderCare Locator & build relationships
 - Your state's Legal Assistance Developer
 - Area Agencies on Aging
 - Nutrition services (i.e.: Meals on Wheels and meal sites)
 - Long-Term Care Ombudsman
 - Adult Protective Services
 - Aging & Disability Resource Centers
 - Veteran's services
- OAA requires collaboration between III-B providers & LSC providers (Sec. 307 (a)(11))

Collaboration: Other Services

- Additional service providers who regularly work with older adults facing issues related to poverty
- Get creative!
 - HUD Housing Counseling Providers
 - Consumer credit counseling service providers
 - Local pride centers
 - Utility services community liaisons
 - United States Postal Inspection Service
 - Domestic violence and shelter services

New Ideas in Outreach

- Library clinics & remote video assistance
 - Models: [Maryland Legal Aid](#) & [Volunteer Legal Services Project of Monroe County](#).
- Mobile options
 - Models: [Center for Elder Law & Justice](#) & Eastern Missouri Legal Services (*partners with Salvation Army Food Bus*)
- Food banks & pantries
 - Model: [Marquette Volunteer Legal Clinic](#)

Action Items: Reaching Older Adults

6. Find the list of senior nutrition sites in your area. Pick two that are in underserved zip codes, and set up a presentation or clinic.
7. Search Eldercare.gov and reach out to at least one agency or organization you do not currently partner with and schedule an in service presentation.
8. Reach out to one “untraditional” service partner to set up a meeting or in service presentation.

Sustainability

Changing the Narrative

- The goals of funders and foundations often align with the outcomes that arise from the provision of legal assistance to older adults
 - [Grantmakers in Aging](#)
 - [Reframing Aging](#)
- How are you presenting this work both within your office and in the community?

Sustainability & Funding

- Think about funding sources that address poverty issues, issues affecting women, funding for kinship care work, etc.
- Collaborations with non-legal services providers may also open up opportunities for funding
 - Building these relationships to improve service delivery, access, and future opportunities for growth

Stay Informed

- Sources of funding alerts & information:
 - [Civil Legal Aid Federal Funding Resources](#)
 - [Department of Justice](#)
 - [OVW Funding Opportunities](#)
 - [Office for Victims of Crime Funding Opportunities](#)
 - [VOCA funding](#)
 - [Grants.gov](#)
 - [Administration for Community Living Grant Opportunities](#)

Action Items: Sustainability

9. Sign up for funding alerts.
10. Review past funded projects on grant websites and get ideas for your next project.

10 Things You Can Do Now!

- ✓ Run some reports in your case management system for clients 60 years and older, looking at zip codes, case type, service level, etc.
- ✓ Gather your local census data.
- ✓ Review your current brochure for services to highlight
- ✓ Look through the substantive trainings offered on NCLER and PLI- pick one or two that you will do in the next month and calendar them.
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**LAW &
ELDER
RIGHTS**

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Request a case consultation

Learn about upcoming trainings

ncler.acl.gov



Case Consultations

Case consultation assistance is available for attorneys and professionals seeking more information to help older adults. Contact NCLER at ConsultNCLER@acl.hhs.gov.