



# DEVELOPING A CIVIL LEGAL AID PROGRAM FOCUSED ON ELDER ABUSE

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INDIANA LEGAL SERVICES, INC.  
The LAVA Project

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# Disclosure

- The planners, presenters, and content reviewers of this course disclose no conflicts of interest.
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# Disclosure

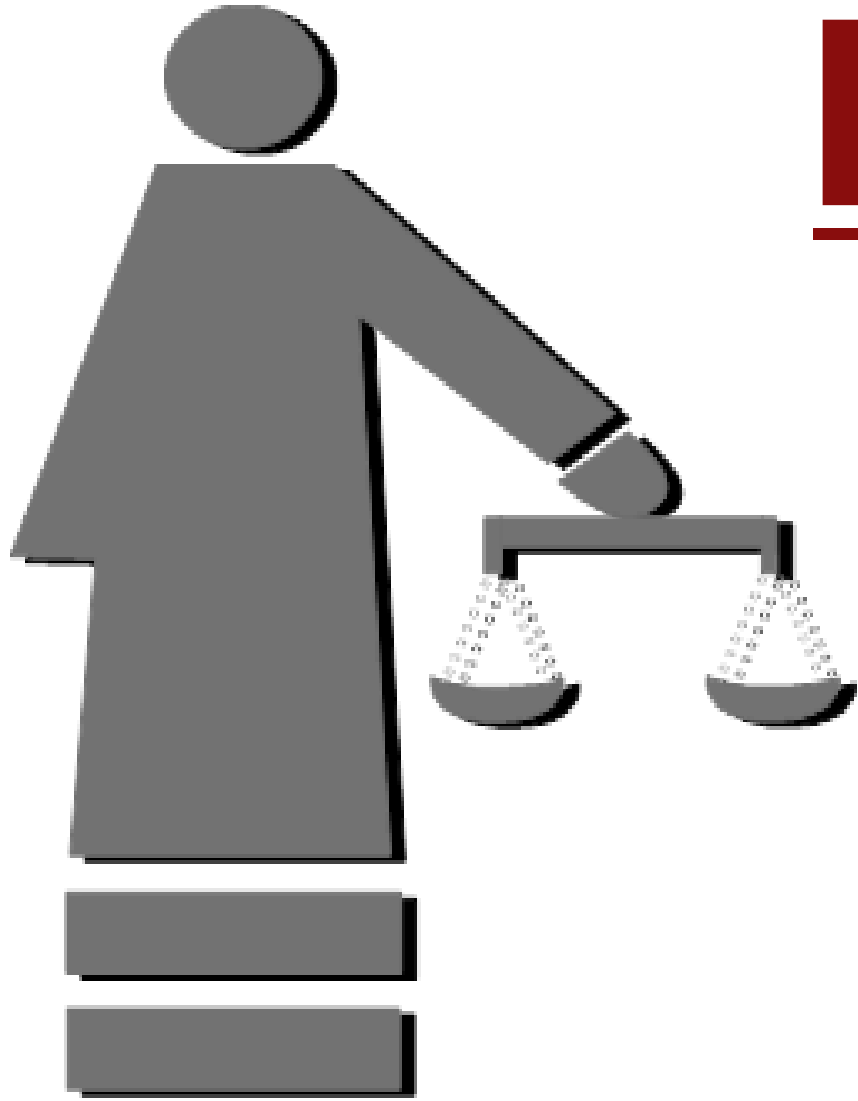
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# Outline of this Presentation

- The LAVA Project – an example of a civil legal aid program
  - Who are we?
- Creating a Civil Legal Aid program to address Elder Abuse
  - Basic Ingredients
  - Getting Started
  - Networking
  - The Legal Work
  - Why do it?

Indiana Legal Services, Inc.'s

# LAVA Project



LEGAL

ASSISTANCE FOR

VICTIMIZED

ADULTS



# INDIANA LEGAL SERVICES, INC.

## MISSION

To use our resources to provide poor people with a wide variety of aggressive, quality legal services which will effectively help them to gain equal access to the courts; empower them to control their lives; and impact on major causes and effects of poverty.

## VISION

ILS envisions a community in which all persons have access to information about their rights and have access to the courts to enforce those rights, regardless of economic or other barriers, so as to prevent the vulnerable from being taken advantage of, mistreated, or unable to advance to self-sufficiency.

# LAVA Project – Mission

- Provide quality legal representation to seniors and endangered adults who are victims of criminal behavior, including abuse, neglect, and exploitation
- Ease or eliminate the negative effects of these crimes
- Provide law-related education and proactive programming designed to empower seniors and endangered adults

# 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 – Services we offer

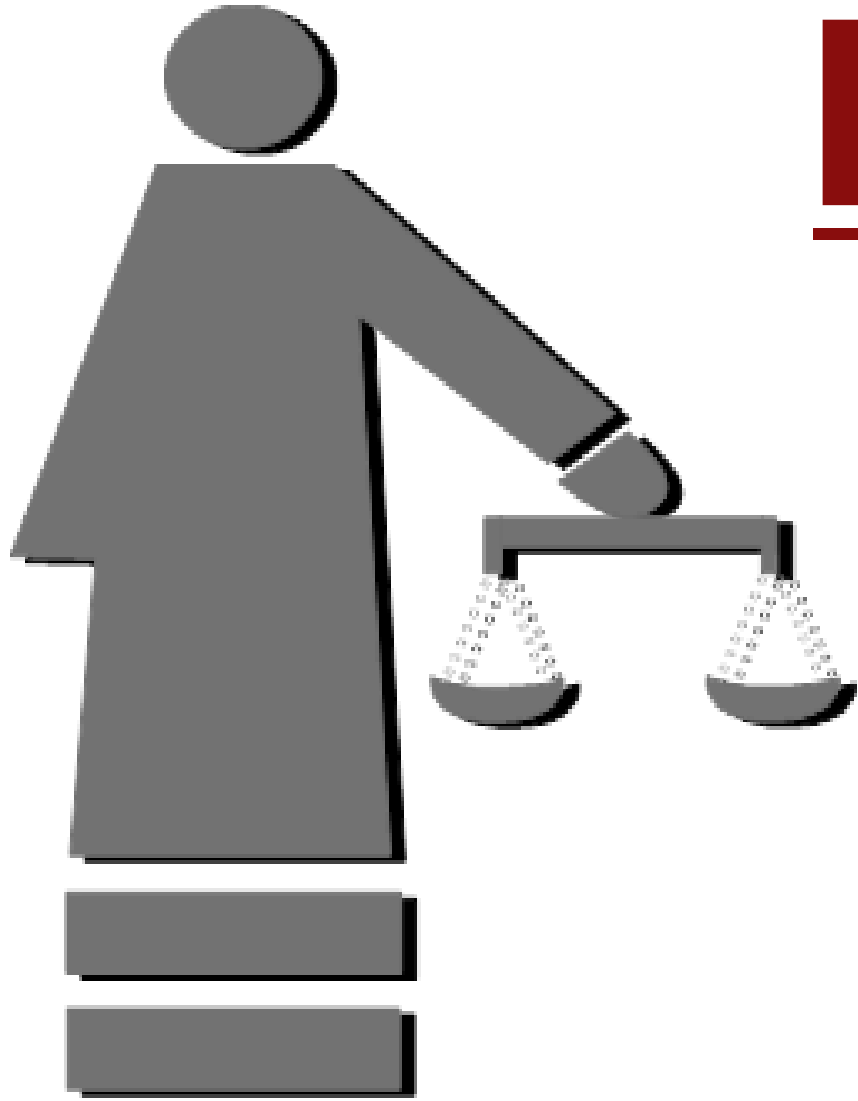
- Quality legal representation including:
  - Advice, Negotiation, Consultation, Referrals, and Litigation
  - Common case types include:
    - Consumer Fraud
    - Revocation of Power of Attorney
    - Modification or Termination of GU
    - Protective Order
    - Eviction
    - Dissolution
    - Estate Planning
- Community and Legal Education
  - To colleagues
    - Fellow attorneys
    - Judiciary
  - To community partners and professionals
    - Law enforcement
    - APS
    - Health workers
    - Social workers
  - To those affected
  - To the community at large

# LAVA Project – Case examples

- The unwanted houseguest
- The abusive fiduciary
- Scams
- Consumer fraud

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# Creating a Civil Legal Aid Project focused on Elder Abuse



# BASIC INGREDIENTS

- THE OBVIOUS
  - Legal Team
  - Money
- PERHAPS LESS OBVIOUS
  - Community buy-in
  - Community partners
- Patience, Creativity, and Diverse Backgrounds help a lot, too.

# GETTING STARTED

- SO YOU'VE GOT THE MONEY...
- NOW YOU NEED A LEGAL TEAM.
  - Ideal qualities in team members include:
    - Comfort with a general practice
    - Work well in team but can also work independently
    - Value multi-disciplinary approaches
    - Network well
    - Good education/presentation skills
    - Patient and good listeners
    - Creative and can solve complex problems

# GETTING STARTED

- Know your grant, if you have one
  - This is important because...
    - You want to keep your funding
    - Need to know who your client is and what you can do for him/her
    - Need to know if there are requirements beyond the legal work
    - Need to be able to sell/explain your project to partners
- Know your partners/resources/allies
  - Who needs to know you exist?
  - What supports do you need?
  - Are there similar projects you can learn from, collaborate with?

# NETWORKING

- MEETING COMMUNITY PARTNERS
  - Who needs to know you exist?
  - What supports do you need?
  - Are there similar projects you can learn from, collaborate with?
  
- ESTABLISHING REFERRAL CHANNELS



# THE LEGAL WORK

- WHAT WE CAN DO
- WHAT WE CAN'T DO
- HOW WE CAN BE A BRIDGE
- WHAT'S UNIQUE ABOUT CIVIL LEGAL AID?

# WHY DO IT?

- WHAT'S UNIQUE ABOUT CIVIL LEGAL AID?
  - Client-driven
  - Burden of proof is lower
  - We fill a (big) gap.

# Let's continue the conversation.



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