

ELA



**ELDER LAW &
ADVOCACY**

ELDER LAW
&
ADVOCACY

AGENDA

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THE TEAM

Jaime Levine |
Executive Director
& Supervising
Attorney

Jenna MacRae |
Deputy Director

Alan Azevedo-
McCaffrey | Staff
Attorney

Ann Vu | Legal
Volunteer

Victoria Ramirez |
Program Assistant

Aylin Cruz
Magana | Legal
Assistant

THE TEAM

Caleb Logan | Staff
Attorney

Madison Kovall |
Staff Attorney

Veronica
Hernandez |
Program Assistant
Supervisor, Legal

Pablo Corona |
Community
Education & Outreach
Coordinator

Andrew Thompson |
Nursing Home Rights
Managing Attorney

WHO WE ARE

- ELA is a non-profit organization that has been providing services for over 40 years.
- ELA devotes all its resources to helping both rural and urban seniors and their caregivers.
- ELA's attorneys, staff and volunteers provide services in Imperial and San Diego counties by phone and in person with appointment.
- ELA provides in home visits when necessary



WHO WE ARE

- ELA provides free legal services for adults aged sixty (60) years or older and their caregivers
- Through the HICAP program, ELA provides Medicare and health insurance counseling
- ELA strives to create community partnerships to help promote seniors' rights



MISSION

Seniors are a growing and vital segment of our community. Elder Law & Advocacy seeks to protect seniors by providing legal advice and advocacy. The organization serves seniors by helping them to defend their legal rights and preserve their respected place in the community.



ELA
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Our Goal

- Protect the rights of vulnerable older adults through legal services, community education, and advocacy in San Diego and Imperial counties when our resources allow.
- Ensure that every older adult in our region has access to justice
- To provide accessible, empathetic, clear, and informative services to our clients



**HOW WE
HELP
THE
ELDERLY**





Senior Legal and Services Program

- ELA provides FREE counsel and advice and advocacy to residents of Imperial County age 60 and over.

Senior Legal Services Program

- Able to advise on a wide range of legal issues, including financial elder abuse, landlord/tenant issues, contractual disputes, consumer issues, public benefits, debt, etc.
- Drafts reasonable accommodation requests, demand letters to adverse parties and provides settlement negotiations
- Prepares some documents such as Advance Health Care Directives and Powers of Attorney
- Unable to assist with: family, criminal, personal injury, or litigation.



Scope of Legal Services

- ELA services are generally restricted to counsel and advice, limited to one legal issue per client per fiscal year.
- Many cases can be concluded after the initial 30-minute consultation.
- ELA focuses on pre-litigation intervention and is generally able to resolve issues with counsel, advice, and advocacy
- Occasionally we may offer further legal services such as preparing advance health care directives and power of attorney documents and demand letters



Senior Legal Services Program

- Counsel and advice involves a discussion and breakdown of the client's issue so that the client leaves with a comprehensive understanding of their problem
- Counsel and advice involves legal analysis of the client's problem, so that the client understands what his or her legal options are
- Advocacy may involve writing demand letters and negotiating with an adverse party
- ELA can provide clients with referrals to other attorneys or legal services



Power of Attorney and Advance Health Care Directives

- ELA can provide clients with Power of Attorney and Advance Health Care Directive Documents
- An ELA attorney will need to meet with the client in private
- Clients should take considerable care when choosing their agents for power of attorney
- Power of Attorney and Advance Health Care Directive documents can eliminate the need for a conservatorship



Caregiver Legal Consultation Program

- Program is designed to help family caregivers of elderly frail persons who have Alzheimer's disease, who are economically and socially disadvantaged, or are isolated, homebound or institutionalized.
- Provides legal counseling and advice; and community outreach to educate seniors and their family caregivers of current scams, probate conservatorships, POA/AHCD, habitability issues, etc.



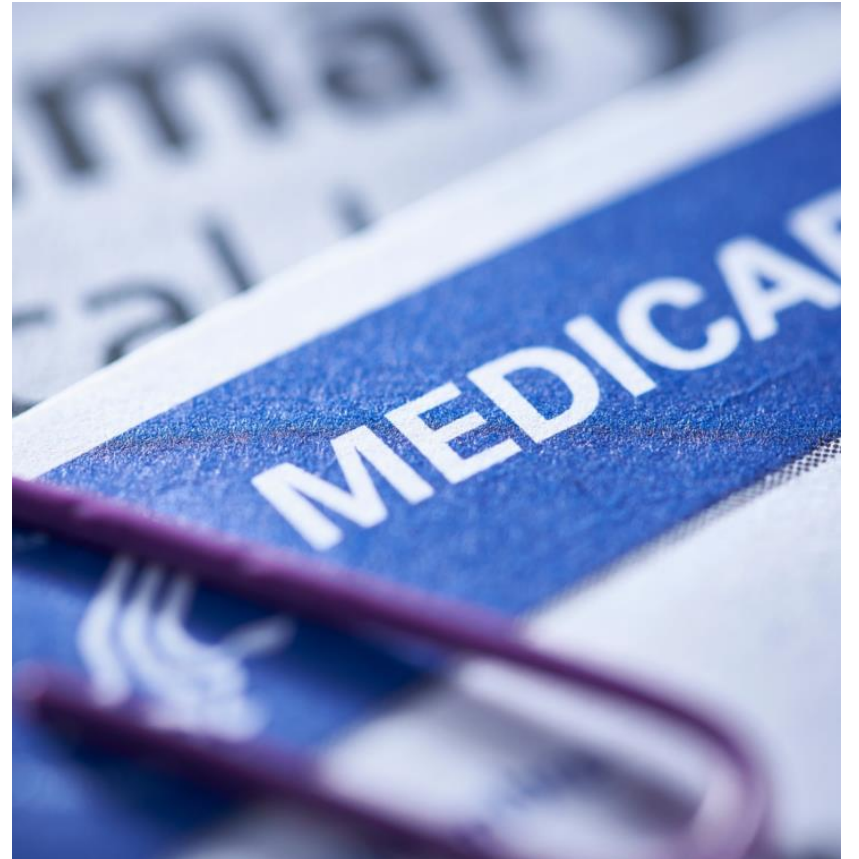
Caregiver Legal Consultation Program

- ELA provides free counsel and advice for caregivers of Imperial County Residents who are 60 years of age or older
- Sometimes, it will be necessary to switch our representation to the care recipient
- Some legal services will be unavailable to caregiver clients; for example, a caregiver client cannot obtain a Power of Attorney document *for* a care recipient



HICAP

- HICAP provides unbiased Medicare counseling to Medicare beneficiaries and their representatives. HICAP assists beneficiaries to know all of their options when choosing and navigating their Medicare coverage and assists low-income individuals apply for Medicare assistance programs. Our HICAP program also has a Legal Department that assists beneficiaries with issues that they may be facing with their Medicare (e.g. Denied claim). Our legal department is able to provide representation up to the Administrative Law Judge Level.



Health Insurance Counseling & Advocacy Program (HICAP)

What is HICAP

- ❑ California's State Health Insurance Assistance Program (SHIP)
- ❑ Our local HICAP is a program of Elder Law & Advocacy
- ❑ Serves San Diego and Imperial counties
- ❑ Free, Unbiased, Confidential
- ❑ Help with Medicare and Long Term Care Insurance



HICAP ■ 800-434-0222

How we can help

- ❑ **Medicare Counseling** - Experienced staff and volunteer counselors help by phone and in-person. Counselors are trained by HICAP and certified by CA Dept. of Aging.
 - ❑ Compare Original Medicare and Medicare Advantage so beneficiaries can make an informed decision without sales pressure.
 - ❑ Compare options for dual eligible beneficiaries (Medicare + Medi-Cal).
 - ❑ Screening for financial assistance programs.
 - ❑ Detailed comparison charts and fact sheets.
- ❑ **Long Term Care Insurance (LTCI) Counseling.**
- ❑ **Outreach** through group presentations and resources events.
- ❑ **HICAP Legal Services** - Help with denials, unexpected bills, representation before a Medicare Administrative Law Judge, and more.

HICAP ■ 800-434-0222

Nursing Home Rights Enforcement Project

- The Nursing Home Rights Enforcement Project assists residents in Skilled Nursing and Assisted Living Facilities with problems relating to their care, offering legal intervention when necessary and providing follow-up services to ensure that a facility is safely providing care.



The Elder Protection Project

- The ELDER PROTECTION PROJECT (EPP), provides in-depth legal assistance, including representation, for victims of financial elder abuse and fraud in San Diego and Imperial Counties. These are individuals who are victims of elder abuse including fraud related to: construction and contracting, credit reporting, identity theft, debt collection issues, and coerced debt. The program also provides in-depth negotiated settlement assistance to clients in order to ensure a 'soft landing' for clients. Our goals include avoiding Unlawful Detainer judgments and subsequent negative entries in background check databases, the provision of adequate time for clients to locate and secure appropriate housing, and settlements that achieve best possible financial outcomes.



LEGAL CLINIC

- We provide FREE information, advice, and counsel for:
 - Unlawful Detainers
 - Elder Abuse Restraining Orders
 - We provide translation for Spanish speakers who do not speak English however, it is best to bring an adult friend or relative who can translate on your behalf.
 - Important: By assisting you, we are **NOT** acting as your attorney, filing paperwork on your behalf, and we are **NOT** or will represent you at trial.
- **Tuesdays & Wednesdays** | 9:00 a.m. to 12:00 p.m.
- **Location:** Imperial County Superior Court- 2nd floor Conference Room | 939 W. Main St. El Centro, 92243

LEGAL CLINIC

- **Process:** The individual (participant) fills in their name in the sign-up sheet and wait for their turn. *First come first serve.
- Attorney listens to the matter and what the participant is seeking. (Either UD or RO)
- Attorney provides information and some advice and counsel
- Attorney may provide legal forms
- We print the forms the clinic participant needs. We also assist participants in filling out their paperwork if needed.
 - If they bring any paperwork in relation to the matter, we can review them.
 - **Important:** EL&A does not retain any paperwork at the clinic
- **Tuesdays & Wednesdays | 9:00 a.m. to 12:00 p.m.**
- **Location:** Imperial County Superior Court- 2nd floor Conference Room | 939 W. Main St. El Centro, 92243

WORKSHOP/PRESENTATIONS



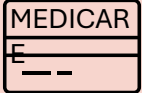
Every Last Wednesday of Each Month

| 1:00 p.m. to 4:00 p.m.

Location: Imperial County Superior Court- 2nd
Floor Conference Room | 939 W. Main St. El
Centro, 92243

- Occurs on the last Wednesday of each month
- Presentations:
 - Elder Abuse Restraining Overview
 - Unlawful Detainer Overview
 - Materials provided are in English and Spanish



Examples of when to refer an older adult for legal advice		
	Do you have enough money to pay the bills?	<ul style="list-style-type: none"> • My social security was lowered. • I have credit card debt. • I was scammed.
	Do you have secure and safe housing?	<ul style="list-style-type: none"> • I'm going to be kicked out of my home. • I have bugs in my home. • I need modifications for my disability. • I need more time to move out. • My landlord isn't fixing my apartment. • My HOA isn't paying for repairs. • The bank is going to foreclose.
	Do you feel safe?	<ul style="list-style-type: none"> • My roommate yells at me. • I don't feel safe at home. • My neighbor harasses me.
	Do you have documents in place so someone can make decisions for you when you cannot yourself?	<ul style="list-style-type: none"> • I need help planning for when I can no longer make: <ul style="list-style-type: none"> ○ Medical Decisions ○ Financial Decisions ○ Legal Decisions
	Are you having trouble with your insurance?	<ul style="list-style-type: none"> • Medicare won't pay for my medications. • My medications are too expensive. • How do I know which Medicare plan to pick?

EL CENTRO OFFICE

Monday - Friday | 8:00 a.m. to 4:00 p.m.

Location: Imperial County Superior Court- 2nd
Floor | 939 W. Main St. El Centro, 92243

- No walk-ins
- Appointments:
 - To schedule an appointment, call at (760) 353-0223
 - Important: Staff speaks English and Spanish

Questions?

THANK YOU

