



# ***At This Time —***

## **A Report on the Capacity**

Of the

## **Legal Assistance Delivery System**

## **Serving Vulnerable Older Georgians**

*Focused primarily on the Federal Older Americans Act funded legal system in coordination with other low cost legal assistance delivery systems*

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Prepared by:  
Natalie K. Thomas, Esq.  
State Legal Services Developer  
Division of Aging Services  
Department of Human Services  
2 Peachtree St, NW; Suite 33.384  
Atlanta, GA 30303  
[nkthomas@dhr.state.ga.us](mailto:nkthomas@dhr.state.ga.us)  
[www.aging.ga.gov](http://www.aging.ga.gov)

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## Executive Summary

This report reflects the current status of the Georgia Elderly Legal Assistance Program, the state's Older Americans Act Title III B legal assistance program. It has been prepared by the State Legal Services Developer. Additional information including hotline data may be added and incorporated into a June 2012 version of this report provided to the Manager of the Georgia Senior Legal Hotline which would fulfill the requirements for a Comprehensive Statewide Capacity Assessment of Georgia's Legal Assistance Delivery System to Vulnerable Older Persons, as a 2010 Model Approaches Grant recipient, a funding opportunity of the U.S. Department of Health and Human Services Administration on Aging.

The purpose of a Capacity Assessment of a Legal Assistance Delivery System is to determine how well the system is meeting its goal and serving the intended purpose. Involved in making this assessment, it is necessary to provide a detailed description of the components of the system while highlighting the strengths and weaknesses. It is believed that by conducting such a study, opportunities are gained to learn what a system does well, what could be done better, where changes are needed and what critical vulnerabilities might be unknowingly jeopardizing the system. Obviously, as with any study, the results are useful only if they are used.

Data contained in the report has been compiled from numerous sources including:

- 2011 ELAP Regional Meeting Data
- Georgia State Plan on Aging SFY 2012-2015
- U.S. Census Data 2010
- AIMS ELAP Reports SFY 2011

The true value of any study lies in the ability of the results of that study to prompt action, by those in a position to take it, to make needed changes. This demonstrates that learning has taken place because of a corresponding change in behavior. As a result, those who benefit from the objective of the study, in this case, vulnerable older Georgians sixty years of age and older in need of legal assistance will ultimately be better served by the system studied.

## **Purpose**

In order to determine the current value of anything of reasonable importance, one typically takes time to gauge, formally or informally, some or all of the following:

- Intended purpose – *what is the best expectation?*
- Composition – *what are the components that make this viable?*
- Function – *what does it actually do?*
- Current quality – *how well does it do right now?*
- Determination of appreciated or depreciated value – *what has been or is expected to be the change in value?*
- Strengths, weaknesses, threats and opportunities - *What is done well, better, best? What is not or where are expectations not met? What could cause failure? What are areas ripe for building?*

These are very basic examining criteria and there is much room to tailor the list depending upon the specific item, entity or program in question. The point is that it is only when the point of origin and current status are clearly known that it becomes feasible to ascertain whether *now* is the place to be or is there a need and capacity to reach a higher level.

This is some of what was involved in conducting a Capacity Assessment of the Georgia Legal Assistance Delivery System specifically for persons sixty years of age and older. To assess the capacity of the system in totality, each major component piece must also be reviewed and assessed.

For Georgia, those components are identified as follows:

1. State Agency on Aging
  - a. State Legal Services Developer
2. Area Agencies on Aging
3. Legal Assistance Providers
  - a. Older Americans Act (OAA) Title III B legal services program providers
  - b. Hotline/Helpline
  - c. Legal Services corporation (LSC) grantees
  - d. Private Bar
  - e. Legal Clinics

## **State Agency on Aging**

The Georgia Department of Human Services Division of Aging Services, as the State Agency on Aging [commonly referred to as State Units on Aging (SUAs)], provides state leadership to administer a statewide system of comprehensive and coordinated array of services for older adults and their families and caregivers, in partnership with Area Agencies on Aging. The Division of Aging Services (DAS) administers federal and state funding to Area Agencies on Aging (AAAs) manages contract requirements with AAAs and their governing bodies, and provides the policy framework for programmatic direction and operations, standards, and guidelines for service delivery systems, quality assurance and training.

As Georgia's State Agency on Aging, DAS assures that preference will be given to the provision of services to older individuals with the greatest economic need and older individuals with greatest social need, with particular attention to low-income minority individuals, individuals at risk for nursing home placement, and individuals living in rural areas.

Legal services or legal assistance is authorized under Title III, Part B—Supportive Services and Senior Centers of the Older Americans Act. In this part, SUAs are given charge concerning the delivery of legal services. There are three priority services in the OAA that are required to be funded by Area Agencies on Aging: access, in-home and legal assistance. [Pub. L. No. 109-365; Section 306 (a) (2)]

State Agencies on Aging, in dividing the state into distinct planning and service areas is also charged with considering the geographical distribution of older persons in the state and the need for legal assistance, to ensure that there is opportunity for the distribution of the targeted population and the resources available or necessary to provide these services as appropriate.

This is likely an area of weakness for most, if not all states, including Georgia. It is not common for the need for legal assistance and the ability to meet that need in personnel,

funding or possibility of coverage to be a discussed when dividing the state into planning and service areas.

### State Demographics

The following illustrates the sixty plus population composition of the State of Georgia.

## State Data and Demographics

Georgia Population Data Summary  
2009 Estimates

PSA	60+ Population	60+ as % of Total Population	65+ Living Alone	65+ Living Alone as % of 65+ Population	65+ in Poverty	65+ in Poverty as % of 65+ Population	65+ Limited English	65+ Lim Eng as % of 65+ Population
1-Northwest Georgia	154,114	18%	24,997	24%	12,264	12%	817	0.8%
2-Georgia Mountains	116,589	19%	15,899	21%	8,626	11%	1,550	2.0%
3-Atlanta Region	539,254	13%	78,602	22%	28,136	8%	14,556	4.0%
4-Three Rivers/Southern Crescent	86,437	18%	13,150	23%	6,806	12%	238	0.4%
5-Northeast Georgia	94,358	16%	15,052	23%	7,094	11%	387	0.6%
6-River Valley/Lower Chattahoochee	66,356	18%	13,427	31%	6,109	14%	193	0.4%
7-Middle Georgia	87,717	18%	15,722	26%	7,680	13%	346	0.6%
8-Central Savannah	82,626	18%	16,277	29%	7,674	14%	551	1.0%
9-Heart of GA Altamaha	58,388	19%	11,255	29%	7,453	19%	190	0.5%
10-Southwest Georgia	67,369	19%	13,223	28%	7,160	15%	250	0.5%
11-Southern Georgia	71,598	18%	13,733	29%	7,436	15%	224	0.5%
12-Coastal Georgia	103,235	16%	18,183	27%	7,438	11%	464	0.7%
State of Georgia Totals	1,528,041	16%	249,520	25%	113,896	11%	19,766	2.0%

PSA 1 – Northwest Georgia	Bartow, Catoosa, Chattooga, Dade, Fannin, Floyd, Gilmer, Gordon, Haralson, Murray, Paulding, Pickens, Polk, Walker, Whitfield
PSA 2 – Georgia Mountains	Banks, Dawson, Forsyth, Franklin, Habersham, Hall, Hart, Lumpkin, Rabun, Stephens, Towns, Union, White
PSA 3 – Atlanta Region	Cherokee, Clayton, Cobb, DeKalb, Douglas, Fayette, Fulton, Gwinnett, Henry, Rockdale
PSA 4 – Three Rivers/ Southern Crescent	Butts, Carroll, Coweta, Heart, Lamar, Meriwether, Pike, Spalding, Troup, Upson
PSA 5 – Northeast Georgia	Barrow, Clarke, Elbert, Greene, Jackson, Jasper, Madison, Morgan, Newton, Oconee, Oglethorpe, Walton
PSA 6 – River Valley/ Lower Chattahoochee	Chattahoochee, Clay, Crisp, Dooly, Harris, Macon, Marion, Muscogee, Quitman, Randolph, Schley, Stewart, Sumter, Talbot, Taylor, Webster
PSA 7 – Middle Georgia	Baldwin, Bibb, Crawford, Houston, Jones, Monroe, Peach, Pulaski, Putnam, Twiggs, Wilkinson
PSA 8 – Central Savannah River	Burke, Columbia, Glascock, Hancock, Jefferson, Jenkins, Lincoln, McDuffie, Richmond, Screven, Taliaferro, Warren, Washington, Wilkes
PSA 9 – Heart of Georgia Altamaha	Appling, Bleckley, Candler, Dodge, Emanuel, Evans, Jeff Davis, Johnson, Laurens, Montgomery, Tattnall, Telfair, Toombs, Treutlen, Wayne, Wheeler, Wilcox
PSA 10 – Southwest Georgia	Baker, Calhoun, Colquitt, Decatur, Dougherty, Early, Grady, Lee, Miller, Mitchell, Seminole, Terrell, Thomas, Worth
PSA 11 – Southeast Georgia	Atkinson, Bacon, Ben Hill, Berrien, Brantley, Brooks, Charlton, Clinch, Coffee, Cook, Echols, Irwin, Lanier, Lowndes, Pierce, Tift, Turner, Ware
PSA 12 – Coastal Georgia	Bryan, Bulloch, Camden, Chatham, Effingham, Glynn, Liberty, Long, McIntosh
Sources:	60+ Populations from 2010 Census, Summary File 1, U.S. Census Bureau 65+ Populations from the Governor's Office of Planning & Budget, 2009 County Populations by Age, <a href="http://opb.georgia.gov/00/channel_title/0_2094_161890977_162720430_00.html">http://opb.georgia.gov/00/channel_title/0_2094_161890977_162720430_00.html</a> Remainder of data from 2005-2009 American Community Survey 5-Year Summary File, U.S. Census Bureau, American Community Survey Office



## Area Agencies on Aging

In Georgia, DAS has designated twelve (12) Planning and Service Areas (PSAs) and Area Agencies on Aging (AAAs). All community based services for older adults are coordinated through the AAAs. Ten of the Area Agencies are housed within Regional Commissions (RCs), which are the units of general purpose local government. The remaining two agencies are free-standing, private non-profit organizations, both of which have 501(c)3 status with the Internal Revenue Service.

The AAAs are responsible for:

- Assuring the availability of an adequate supply of high quality services through contractual arrangements with service providers, and for monitoring their performance;
- Local planning, program development and coordination, advocacy, monitoring;
- Developing the Area Plan on Aging and area plan administration, and resource development;
- Working with local business and community leaders, the private sector and local elected officials to develop a comprehensive coordinated service delivery system;
- Establishing and coordinating the activities of an advisory council, which will provide input on development, and implementation of the area plan; assist in conducting public hearings; review and comment on all community policies, programs and actions affecting older persons in the area.

### AAA Locations:

#### Atlanta Regional AAA

Atlanta, GA

Website:

[agewiseconnection.com](http://agewiseconnection.com)

#### Central Savannah River AAA

Augusta, GA

Website: [www.csrarc.ga.gov](http://www.csrarc.ga.gov)

#### Coastal Georgia AAA

Brunswick, GA

Website: [www.crc.ga.gov](http://www.crc.ga.gov)

#### Legacy Link AAA

Gainesville, GA

Website: [www.legacylink.org](http://www.legacylink.org)

#### Heart of Georgia

##### Altamaha AAA

Baxley, GA

Website: [www.hogarc.org](http://www.hogarc.org)

#### Middle Georgia AAA

Macon, GA

Website:

<http://www.middlegeorgiarc.org/>

#### Northeast Georgia AAA

Athens, GA 30610

Website: [www.negrc.org](http://www.negrc.org)

#### Northwest Georgia AAA

Rome, GA

Website: [www.nwgrc.org](http://www.nwgrc.org)

#### River Valley AAA

Columbus, GA

Website:

[www.rivervalleyrc.org](http://www.rivervalleyrc.org)

#### Southern Georgia AAA

Waycross, GA

Website: [www.sgrc.us/AAA](http://www.sgrc.us/AAA)

#### SOWEGA AAA

Albany, GA

Website:

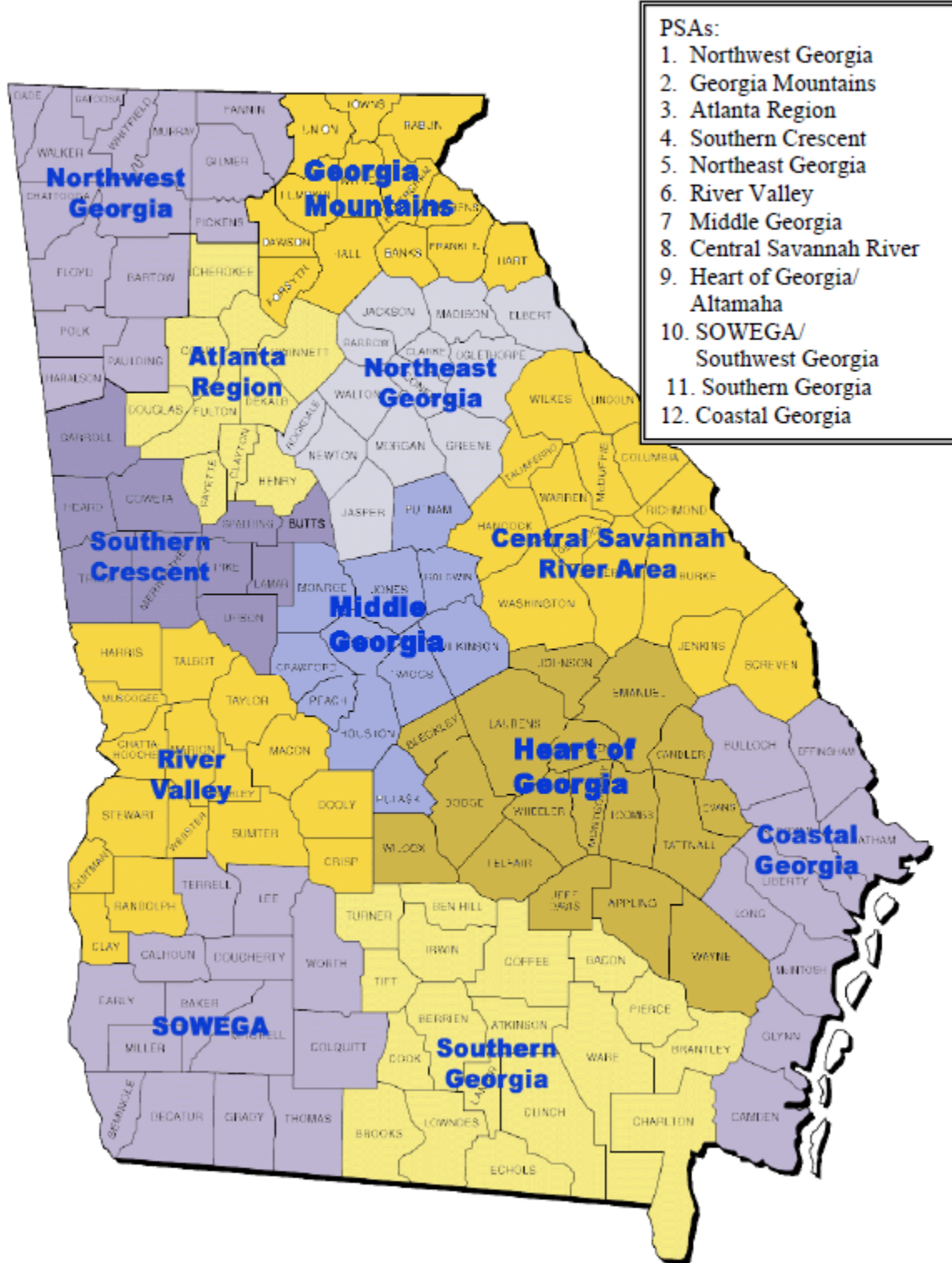
[www.sowegacoa.org](http://www.sowegacoa.org)

#### Southern Crescent AAA

Franklin, GA

Website: [www.scaaa.net](http://www.scaaa.net)

## Planning and Service Areas Overview





## Public Input on Priority of Services

The Georgia Department of Human Services Division of Aging Services contracted with The Georgia State University (GSU) Gerontology Institute and The Georgia State University Georgia Health Policy Center (GHPC) to collect representative public input. The primary project objectives were to ascertain the perceived value of and barriers to DAS programs and services, obtain consumer suggestions for recommended improvements to the service delivery system and home and community based services, and ideas for new DAS initiatives. Statewide public hearings, a general population telephone survey of Georgians 60 years of age and older, a telephone survey of caregivers of home and community based services (HCBS) and Community Care Services Program (CCSP) clients discharged to a nursing facility in SFY10; and CCSP focus groups were conducted.

### Services Most Needed by Older Adults Living in the Community

Responses	Number of Responses	% of Responses	% of All Respondents
Transportation	332	17%	57%
Health care	284	14%	49%
Services to keep people at home	280	14%	48%
Prescription drug assistance	214	11%	37%
Housing	176	9%	30%
Exercise & nutrition	173	9%	30%
Caregiver/Respite care	146	7%	25%
Income/Financial assistance	146	7%	25%
Abuse prevention	69	3%	12%
<b>Legal</b>	<b>66</b>	<b>3%</b>	<b>11%</b>
Employment	35	2%	6%
Volunteer opportunities	35	2%	6%
Other	38	2%	7%

Further analysis of data revealed information on how improvements were viewed as being necessary to strengthen the aging network and in what particular areas.

### **Opportunities for improvement from all data collection methods**

- Increase the amount, flexibility, and quality of transportation services.
- Increase the amount of services that support caregivers, which include personal support/homemaker services, as well as respite services in and out of the home.
- Increase mental health services and supports.
- Provide more personal support services, as well as higher quality services and more flexible and individualized services.
- Provide access to durable medical equipment, specifically wheelchairs, walkers, and stair chair lifts. Increase assistance with home modifications and home repairs.
- Increase access to services.
  - Decrease service wait times.
  - Make eligibility criteria less restrictive.
  - Increase staff outreach, community partnerships, and marketing of programs.
  - Increase training of agency personnel to improve their knowledge.
- Enhance wellness and prevention programs, including increased opportunities for exercise and classes about disease prevention and nutrition.
- Provide assistance with long-term planning.
- **Continue to enhance Adult Protective Services and Legal Assistance services.**
  - The greatest area of concern in reference to abuse of older adults and adults with disabilities was financial abuse. Through programmatic efforts, ensure that older adults and adults with disabilities have financial security, including enough food to eat and enough money to pay rent.
  - Increase awareness of whom to contact in the event of abuse or risk.

## State Legal Assistance Development Program

### *Overview*

States are required in both Title III and Title VII to have in place an individual who serves as the legal assistance developer for the state. [Pub. L. No, 109-365, Sections 307 (a)(13) & 731] as well as other personnel to ensure State leadership and capacity—

- in securing and maintaining the legal rights of older individuals;
- for coordinating the provision of legal assistance;
- to provide technical assistance, training, and other supportive functions to area agencies on aging, legal assistance providers, ombudsmen, and other persons, as appropriate;
- to promote financial management services to older individuals at risk of conservatorship;
- to assist older individuals in understanding their rights, exercising choices, benefiting from services and opportunities authorized by law, and maintaining the rights of older individuals at risk of guardianship; and
- to improve the quality and quantity of legal services provided to older individuals.

Georgia has a rich history of meeting these criteria. Prior to the current developer, well known elder law attorney, past Paul Lichterman Award recipient, the first Senior Legal Hotline Managing Attorney, Mediator and currently a full time Law professor of Dispute Resolution at the Law School at the University of Georgia at Athens, Eleanor Crosby Lanier, held the position for approximately five years. While in the position, among numerous other accomplishments was the development of the initial Georgia Standards for Delivery of Legal Services to Older Persons, later implemented by the current developer.

The current developer has held the position since 1993 and in addition to implementing the Georgia Standards which have been reviewed and subsequently revised a number of times since 1993, also developed the current Uniform Statewide Reporting System; provided leadership for, contributed to the development and writing of the initial grant which was ultimately responsible for the existence of the Georgia Senior Legal Hotline.

### *Attorney or Non-Attorney*

Georgia's current developer is a licensed attorney. The previous two developers were also licensed attorneys. The current job description for the Georgia developer requires

that the developer be licensed by the State Bar of Georgia. The developer is a full-time dedicated position and clearly defines the boundaries for the developer to avoid conflicts that might occur and result in the developer being tasked with agency or program representation.

### *Description of System*

Georgia's obligations pursuant to Title VII of the Older Americans Act (OAA), 42 U.S.C.A. § 3027 (a) (13) and Title III-B of the OAA, 42 U.S.C.A. § 3027 (a)(2)(A) & (C) by having in place an individual who serves the state as the legal assistance developer and ensures the state's capacity to deliver the priority legal services under Title III-B of the OAA. Georgia's State Legal Services Developer (LSD) is the full-time state legal assistance developer and is responsible for administering a quality Elderly Legal Assistance Program (ELAP), which provides OAA Title III-B legal services to persons sixty years of age and older who are in the greatest social and/or economic need with particular attention to low-income minorities, rural residents, or persons with limited English speaking proficiency.

Providers of Title III-B legal services contract with one of the state's twelve AAAs. Legal services are delivered through twelve Legal Services Corporation grantee entities and one minority private law firm. Services are available to seniors in each of the state's one hundred fifty-nine counties. Specific services available to older people include: legal information, legal community education and full direct representation of legal issues all the way to their administrative and/or judicial conclusions.

The range of duties for developers in this country is as diverse as the states and territories for which the OAA requires developers. At the beginning of the current developer's tenure, there was no written job description in place and an invitation was extended to create one. In an effort to make quality use of the opportunity, The Center for Social Gerontology (TCSG), Ann Arbor, Michigan was consulted. TCSG has been and remains the concierge resource for developers in the development of the OAA Title III-B legal assistance delivery system. Using their expertise, guidance and well

developed resources, the duties of the Georgia Legal Assistance Developer are closely in line with the guidance of the 1992 Amendments of the OAA Title VII. Chapter 4 – State Elder Rights and Legal Assistance Development Program. Georgia has since reduced its focus on a comprehensive Elder Rights System as designed in those amendments and reallocated the remaining tasks to other programs but notwithstanding other minor changes, the duties of the Georgia developer remain the same.

The primary responsibilities of the Georgia developer are as follows:

- to develop and manage the Title IIIB Legal Assistance Program
  - serve as primary contact and provide leadership for the program (known in Georgia as the Elderly Legal Assistance Program or “ELAP”)
  - work with AAAs in developing legal programs designed to address the legal needs of older Georgians through the provision of legal information, consultation and counseling, representation and legal community education
  - review and monitor as permitted, the Title III B legal assistance provider contracting, service delivery and goal setting process, providing guidance and technical assistance as necessary
  - provide technical assistance on selecting the best entity to provide Title III B legal assistance
  - review, advise and make recommendations as permitted on waivers requested by AAAs or legal providers regarding legal assistance
  - provide assistance to legal providers, AAAs and others on fiscal management
- determine and provide legal training needs for legal providers, AAAs, ombudsmen and others as appropriate and permitted with available resources
- ensure that all Title III B legal programs in the state deliver quality high impact legal assistance using Program Standards, Statewide Reporting System data and program evaluation
- develop and provide written educational materials to increase awareness of senior legal issues
- develop and implement strategic advocacy that focuses on priority areas including tracking, reviewing and analyzing state and federal legislation, rules and regulations, and policies that might affect the rights and/or benefits of older persons.



*Responsibilities*

As a result of these duties, the developer has a number of responsibilities and opportunities that are not commonly found in other states. Some of the most critical and notable ones can be found in the following chart.

<b>Responsibilities</b>	<b>No Limitations</b>	<b>Routine Qualifications</b>	<b>Special Approval</b>
Communicate directly with legal providers	✓		
Communicated directly with AAAs		Format requires pre-approval by SUA	
Site visits, monitoring visits, technical assistance visits		Travel must be pre-approved; expenses budgeted or personally absorbed	
Develop/print educational materials			The Department has a 7 step approval process for all publications
Engage in advocacy		Unofficially and in a nonpublic manner in keeping with Department policy unless pre-approved	
Provide training for legal providers and other professionals	No limitations on personally attending training as presenters as long as no expense to the Department	If presentation requires an expense to the Department, pre-approval required	If presentation requires out-of-state travel; pre-approval and travel authorization required
Convene various players in delivery system - to share info/resources	As long as there is no funding or resource commitment	If personnel, funding or resources are committed, approval may be required.	
Convene various players in delivery system - to strategize on policy, coordinate positions			Only with prior approval if views could be seen as representative of the SUA or the Department
Convene various players in delivery system - to collaborate on outreach and targeting	As long as there is no funding or resource commitment	If personnel, funding or resources are committed, approval may be required.	

### *Historical Perspective*

A delivery system for legal assistance is one that grows over time. It requires a group effort in order to make accomplishments. Improvements are constantly being made and opportunities for positive growth are always being sought.

In 1993, at the beginning of the current developer's tenure, the total funding for ELAP per PSA was just entering the third year of a phase in to increase funding from \$10,000, \$15,000 to \$20,000. The funding level remained at \$20,000 until where it stayed for five years until it was raised to \$40,000 in 1997. In order to bring the legal programs up to a level where they will be able to better able to meet the growing demands of the aging population of the State of Georgia, the changes in the laws, and reductions in funding that have acted as a stop-gap for the aging network and the lack of increase in the minimum funding level for the past eight years, effective July 1, 2005, the minimum funding level reflected another change, 5% of the Title IIB pre-shift allocation OR \$50,000, whichever was higher.

### *Surveying the Needs—*

#### **Older Georgians**

To stay on target, periodically it is necessary to assess the needs of not only the population served, but of those providing the service as well. Georgia has had an occasion to do both in the past few years. In 2005, a Legal Needs Study was conducted to hear the voice of Georgia's target population. In the fall of 2005, the Division of Aging services sent a self-completion survey to 1,596 seniors in Georgia. The response rate was nearly thirty (29.7%) percent. Respondents were generally represented as follows:

- Age
  - 35% 60-70
  - 28% 71-80
  - 17% 81+
- Gender
  - 44%+ female
  - 40% +male
- Race
  - 70%+ white
  - 12% black
- Economic
  - 52% above \$19,350
  - 21% \$12,830 - \$19,350

In brief, highlights of the results are as follows:

- Twenty-four (23.94%) percent of responding Georgians had experienced legal difficulty within the three years prior to 2005.
- Georgia's seniors indicated legal difficulties in the following areas: telemarketing (54%), landlord (44%), suffering from health problems (25%), salespersons (25%), health care insurance (24%), estate and advanced planning (23%), and government benefits (22%).
- Fifty-seven (57%) percent of seniors had used attorney's services in the past ten years, and of these, seventy-three (73.3%) percent found the services to be very helpful and twenty-four (23.5%) percent found them to be somewhat helpful.
- Seniors who used an attorney in the past, were nearly forty (39.9%) percent likely to call an attorney they know for future legal needs.
- Twenty-one (21%) percent of responding seniors were not aware of senior services or senior advocacy organizations.
- The top legal issues seniors wanted help with were government benefits (22.3%), health insurance (17.7%), and estate planning (17.7%).
- Seniors indicated the most needed services were: a legal hotline (27.2%), low cost attorney fees (20.4%) a legal guidebook (18.3%), and free wills and estate planning services (13.7%).

The study involved the administration of self-completion mail questionnaires to 1,596 Georgians ages 55 and older throughout the state. These seniors were drawn using Georgia's Voter Registration records. There were 532 individuals selected from within age groups 55-64, 65-74 and 75 plus. Samples were selected to equally represent each of these three age strata. The age group 55 through 59 was included in the survey design. This age group was included to obtain feedback from the "baby boomer" generation who also receive Title III services. Response rates were significantly higher among persons aged 60 and older. Only 26 respondents were 55 - 59 years old. The sample was further segmented into urban and rural. Half of each age group came from rural while the other half came from urban. The survey was distributed by mail with a cover letter explaining the survey and instructions for completing the survey.

The survey instrument included questions on demographics, health insurance, government benefits, housing problems, consumer issues, family problems, abuse issues, estate planning, awareness of legal services, experiences and perceptions of lawyers, and legal services that seniors want. Seniors were asked to report problems they had experienced in the past three years.

A review of the ELAP services for the SFY 2011 will indicate that more than six years later, older Georgians are still finding the need for assistance in many of the areas mentioned in these results. (Full report available at [www.tcsg.org](http://www.tcsg.org) )

### ***Legal Providers***

Another area of need to be surveyed is the providers themselves. The work that providers do is involved and often, in consulting with providers, the developer counsels individual provider legal staff on “letting go” of certain cases and certain clients. The desire is often there to do as much as possible and sometimes that desire begins to take a toll on the legal worker. In early 2007, the developer began consulting with the State Bar and others to develop training focused on work-life balance issues and the well being of the provider. As part of this concept, an effort was made to locate an existing survey instrument that could be used to gather information to develop the training by focusing on areas of specific need. The developer found that while there were many survey and assessment instruments that could be used for “billable hours” attorneys, nothing seemed to quite fit the public interest field. The developer worked to create one and used it to gather valuable information.

The survey instrument was developed specifically for public interest legal workers, to attempt to gain some insight on their level of stress and work-life balance. That activity was part of a project to study the effects of detrimental stress and work-life imbalance on the professionalism of public interest legal workers, particularly the Georgia ELAP staff. Included with the ELAP staff were representatives of the Georgia Senior Legal Hotline, partners with the Division of Aging Services.

A total of twenty-four staff consisting of attorneys and paralegals participated in the survey. Two only partially completed the survey, but the remaining twenty-two responded to the survey in its entirety.

The survey revealed that forty-one percent (**42%**) of the ELAP workforce have been in their current positions 1-5 years. Those remaining (**58.4%**) have held their current positions as few as six (6) to as many as twenty-six “plus” (26+) years with the second largest number falling within the 6-10 year range. When asked about career advancement, more than sixty percent (**62.5%**) responded that there had been no promotion for them since they have been in their current position.

The compensation is a clear indicator that staff did not select their careers because of the pay. Fifty-four percent (**54.1%**) started their careers at less than \$20,000 per year, and at that time more than seventy percent (**70.8%**) had yet to reach the \$60,000 mark with a fewer than thirty percent (**29.2%**) indicating that they were between \$60,000-89,999. None of the ELAP staff had broken the \$90,000 ceiling yet in gross earnings in the more than 26 years of employment.

Considering this, it was no surprise then that an overwhelming number (**79%**) of the ELAP staff believed they were inadequately compensated for the work that they do.

One of the challenges for public interest legal workers is struggling to not fall prey to some of the very issues that they see burdening their clients: transportation problems, unpaid medical bills, inability to access adequate health care, tough decisions between which bills to pay and struggles with shelter/housing. Yet when compensation is so significantly disproportionate to the need this is not an impossible scenario. When asked about the kinds of things that are considered simply because of the current income, it is not difficult to identify compensation as a key stressor.



The top five areas of concern for providers were:

1. Purchasing a car/vehicle – **70.8%**
2. Taking a vacation/trip – **70.8%**
3. Purchasing a home – **50.0%**
4. Purchasing new clothes – **50.0%**
5. Purchasing furniture/other household items – **45.8%**

If we viewed one more area of concern, there would have been a disconcerting four-way tie for 6<sup>th</sup> place:

- ◆ Visiting family out of town/state – **37.5%**
- ◆ Which bills to pay – **37.5%**
- ◆ Going to the doctor – **37.5%**
- ◆ Dining out – **37.5%**

Unfortunately, after nearly two years of planning for that training, budget cuts resulted in the cancellation of the training one month before it was to be held. At least two attempts were made to obtain grant funding to pursue more study into this area, but to date, none has been successful. (Full survey report available from GA Developer)

***Goal and Objectives***

The primary goal of the State Legal Assistance Development Program in Georgia is to ensure the legal rights of older Georgians and their capacity to understand, access and exercise those rights to safely extend their independent lifestyles as long as possible. The State LSD works with the state agency, AAAs and IIIB legal assistance providers to establish programmatic goals, objectives, outcomes and strategies for obtaining them. For the next four year cycle, our goal, objectives, outcome measures and strategies have been developed to incorporate those of the ELAP providers to assist the statewide program in a consolidated effort to move forward in the same direction as vulnerable older Georgians are served.

**Goal:** Strengthen the Title IIIB program by targeting legal services for vulnerable older adults. Resources - financial, personnel and legal services, will be geared toward the most pressing priorities challenging older persons throughout the state that protects income, shelter, sustenance and access to better health care.

Objective 1: Increase successful resolution of client issues by 20% by 2015 to the target population as identified in the Georgia ELAP Standards by each Title III B legal provider. Priority cases will include foreclosure prevention, financial exploitation, long-term care appeals, and Medicaid eligibility and Medicare assistance.

Successful Resolution is achievement of the mutual goals initially set between the legal representative and the client; however, it is realized whenever ELAP is able to have a positive impact on the life of the client and place them in a better position economically or equitably.

Measure: SFY12 – Baseline results of priority cases identified in Objective 1 in comparison to the number/percent of ELAP cases that are not within the core priorities. The Percent (%) of successful resolution of priority cases with a five percent (5%) increase annually. Data collection will consist of using the AIMS ELAP Activity Log Case Representation Report.

SFY13 – Increase successful resolution of client priority cases by 10% of SFY12 baseline

SFY14 – Increase successful resolution of client priority cases by 15% of SFY12 baseline

SFY15 – Increase successful resolution of client priority cases by 20% of SFY12 baseline

*Strategies:*

Target identified communities in need of increased access to public benefits

Analyze AIMS data to determine specific areas within designated PSAs that demonstrate a constrained level of public benefit activity when compared with public data indicating the numbers of persons receiving various public benefits in those areas.

- Develop a plan for outreach to the population to be targeted.
- Develop and implement an education and publicity protocol to disseminate information to the targeted population.
- Host a series of public forums and education sessions specifically designed to reach the population targeted as likely eligible for public benefits but not accessing them.

Objective 2: Increase successful resolution of appeals in each planning and service area

by 25% by 2015 regarding foreclosure prevention activity, Social Security

Administration appeals, Medicare appeals, Medicaid appeals and/or Nursing

Home/Personal Care Home (Assisted Living).

Measure: SFY11 – Baseline priority appeals identified in Objective 2 in comparison to the number/percent of ELAP appeals that are not directed to the target population. Data collection will consist of using the AIMS Statistics Report and the Activity Log Case Representation Report field indicating counties served.

SFY12 - Increase successful resolution of priority appeals by 10% of SFY11 baseline

SFY13 - Increase successful resolution of priority appeals by 15% of SFY11 baseline

SFY14 - Increase successful resolution of priority appeals by 20% of SFY11 baseline

SFY15 - Increase successful resolution of priority appeals by 25% of SFY11 baseline

*Strategies:*

- Develop a dedicated screening tool to utilize with all potential clients; detect existing issues requiring administrative or judicial intervention to assist with appeals
- Engage in active screening using the dedicated screening instrument to identify potential clients and their specific areas of need
- Involve any and all additional resource agencies to aid the client

- Utilize collaborations with ADRC, Public Guardianship, and APS as a referral source to and from ELAP.

Objective 3: Increase monetary savings realized and/or benefits obtained for clients by 20% by 2015. Data collection will consist of using the AIMS ELAP Activity Log by exceeding SFY11 results in 5% increments per fiscal year.

**Strategy:**

- Analyze ELAP data entered into AIMS regarding document preparation, counseling, case representation, hours of legal counsel, and benefits and/or restored funds.
- Target geographic areas where income and assets are in jeopardy due to the level of threat and priority cases and appeals
- Develop an outreach plan to educate and inform older persons in these areas
- Create and implement a publicity campaign to alert citizens of available services
- Host public forms, education sessions and information and intake sessions to provide assistance
- Prioritize representation of cases identified in priority subject matter areas.
- Periodically, but no less than annually, assess, evaluate and determine the impact upon clients served.

*Coordination*

The State LSD coordinates with other elder rights programs at the state level and directs that coordination of the ELAPs with their regional elder rights component partners such as Long-term care ombudsmen, Adult Protective Services, GeorgiaCares (the state's SHIP and SMP), elder abuse prevention and ADRC. Each program is provided the mechanism for ensuring that as necessary, client referrals can be made to the ELAP for the maximum benefit to the older person. The Long-Term Care Ombudsman Program, which may more frequently have residents in need of legal assistance but unable to directly request that assistance due mental impairment or dementia, have been found to need extra help. Without relatives or authorized representative to request ELAP intervention, the resident's rights could be irreparably harmed. In the past the State LSD and State Long-term Care Ombudsman have through the use of a written memorandum of understanding, utilized a system which afforded the opportunity for the State Ombudsman to certify such cases on an individual basis and act on behalf of the resident to request legal assistance. In these cases, ELAP has been in the past been

able to provide legal assistance to benefit the resident. Due to changes in staffing, there is no longer a validly executed MOU in place to continue this process.

There is also an ongoing relationship with the Georgia Senior Legal Hotline, a partner with the SUA, which has been housed in the SUA since its creation in 1998 and has continued to receive support from the SUA, including office and cubicle space, storage room space, access to conference rooms, supplies, access to the law library and legal reference materials, postage, telephone equipment, costs of telephone lines and service and Internet access. The Hotline is afforded opportunities to present updates at division-wide staff meetings and to the Department's Board and has open access to the SUA director and other division staff.

#### *Other Personnel & Business Continuity*

There is no additional personnel assigned to the developer. In the event of extended absences, there is currently no identified staff within the SUA qualified to carry out the daily duties of the developer. In 2006, the SUA engaged in an extensive business continuity planning process to assess this criterion for all programs and program specialists in addition to management. For the position of the developer, the results remain unchanged since that time. It was documented that there is no internal continuity plan in place to ensure the uninterrupted work of the developer nor is there a formal succession plan in the event of an unexpected loss of the developer.

## **Funding**

### *Minimum Levels*

The OAA requires that SUAs will specify a minimum proportion of the funds received by each AAA in the State to carry out part B that will be expended to provide each of the categories of services specified in section 306(a)(2), unless there is a waiver under section 306(c) or 316 by such AAA. In Georgia, that minimum percent is "5.0". In addition, effective July 1, 2006, Georgia established a statewide minimum funding level per PSA of \$60,000. The greater of the two, 5% or \$60,000 is the minimum funding required. Of this required minimum amount, 5% of TIIIB funds is not eligible for a



waiver should a waiver be requested and at least \$20,000 of the combined funding total must be T. IIIB dollars. The \$60,000 total excludes state and local match. Currently, all of Georgia's AAAs and Title IIIB legal providers are in funding compliance.

The provider always has an avenue with their AAA to request additional funding. Providers are also encouraged to seek grant opportunities that may be available to them as 501(c)(3) organizations that are not available to state government agencies. The developer willingly provides support letters to providers embarking on such opportunities and to the extent possible, disseminates appropriate funding opportunity information to the providers.

### *Training Funds*

There is no established dedicated budget available to the developer to attend training or to provide training. Upon request, approval may be granted to attend training but decisions are made on the basis of expenses of the training and travel costs and purposes of the training. As for training for Title IIIB legal assistance programs, Georgia has not provided funding for a dedicated training since 2006.

While one of the other roles of the State LSD is to provide training or access to training and assist in the development of other low cost mechanisms of legal services delivery. In keeping in tenor with the economic downturn with the nation and state, training opportunities for Title IIIB legal services programs have been substantially reduced. In 2010, ELAP in conjunction with other Elder Rights programs hosted a statewide "Boot Camp" to provide training for partners regarding national and state initiatives. The State LSD also makes use of webinars sponsored by the National Legal Resource Center (NLRC) partners. Information about these trainings is made available to the Title IIIB legal services providers so that they can participate at their convenience and this practice will continue.

The State LSD continues to search for grant funds outside of those provided by the discretionary grants from AoA but opportunities are limited due to lack of matching

funds and ineligibility for most available philanthropic opportunities that do not require mostly research and prohibit funds from being used for direct services or training purposes.

#### *Development of Educational Material*

The SUA covers the costs of printing educational materials which are used by all programs, AAAs, service providers, the department and the general public. Materials are typically copied from a black and white camera ready version prepared by the developer and not commercially printed. There is a statewide ELAP brochure and it was created and prepared by the developer but to date has always been printed in full color.

#### *Mechanism to Regularly Evaluate Funding Levels*

There is an opportunity for the developer to review the funding level for the ELAP providers every April during the Area Plan Review Cycle process. This does not include funding for the State Legal Assistance Development Program, for which there is no defined funding level. Additionally, currently, there is no dedicated SUA process that includes the developer in which the funding level for either program is considered as an issue.

#### ***Standardized Assistance Tools***

There is a standardized RFP for use by the AAAs which contains sample sections developed for specific programs, including ELAP. There is also a standardized contract made available to AAAs. Finally, there is a monitoring and assessment instrument developed by the developer that may be used by AAAs for evaluating their legal assistance provider.

There are also Statewide Legal Standards to guide and govern the operation of Georgia's Title III B legal assistance program. Georgia's Standards were developed and issued in 1993 by the previous developer, Eleanor Crosby Lanier. They were implemented in 1994 by the current developer and have since been reviewed and revised periodically.

Officially, they are included with the SUA's other Policies, Procedures and Operation Manuals on the Department's website for official directives: [www.odis.dhr.state.ga.us](http://www.odis.dhr.state.ga.us)

There is a statewide computerized reporting system that is a part of the division's comprehensive Aging Information Management System. Although all data is non client specific, there is a variety of data captured by the system and available for prepared reports and ad hoc reports as well as sufficient to use to compile data for specifically targeted requests on trends. Data captured includes:

- # of cases opened with substantive types identified and target population data
- # of cases closed with substantive type identified; method closed; monetary benefits realized
- #information and referral totals
- #legal and related counseling hours
- #community education sessions; topics provided; time spent on the preparation of the material, travel and presentation
- #persons served in every category
- technical assistance provided to LTCO
- identity of staff providing which service
- counties served in particular activities
- details of training received or provided by staff

### *Waivers*

There are currently no waivers in place relieving AAAs or providers of any requirements of the Georgia Elderly Legal Assistance Program. In the event waivers are requested, each is addressed separately and reviewed in light of all the available data available at the time.

## **Providers**

### *Selection of a Provider*

The AAAs have the discretion to issue RFPs at the conclusion of each contract year, although most choose not to do so for the full four (4) year planning cycle unless there is cause to do so, including the choice by either the AAA or the provider to terminate the contract.

In order to become a provider, an entity, at a minimum must be—

- able to demonstrate that they have the experience or the capacity to deliver the service: legal information, legal community education, direct client representation
- willing to be subject to the restrictions and regulations that apply to the program, i.e. ELAP Standards for the delivery of legal assistance to older persons and LSC restrictions, except for those governing eligibility
- willing and able to involve the private bar in the delivery of legal services, including pro bono and reduced fee services
- able to provide services to persons in greatest social or economic need without means testing

There are a set of specific requirements referred to by the SUA in the *Sample RFP Template –Scope of Services* that each prospective provider for the Elderly Legal Assistance program must be able to meet. (See Appendix A)

## ***Georgia’s ELAP Providers***

### *Overview*

Georgia is divided into 12 PSAs to serve 159 counties. Ten AAAs contract with a single provider and 2 AAAs contract with 2 providers in their service area. Of the 14 Title III B legal assistance providers, 13, contracts are with LSC grantees and 1 is with a private law firm.

Each provider is a full service legal assistance provider and serves each of the counties within their PSA with their own staff or through an approved subcontractor. All providers are encouraged to zealously pursue and participate in impact advocacy and representation.

Statewide, there are 15.5 FTE ELAP staff, down from nearly 19 FTE staff in 2010. Of the 14 providers, only six have dedicated ELAP staff, defined as legal staff who are able to devote 50% or more of their time on ELAP duties.

The pages that follow provide a snapshot of the ELAP providers in Georgia, their staffing and their funding as well as some information about their offices in general.



**PROVIDER SNAPSHOT**

SFY 2012  
(7/1/11 – 6/30/12)

**PSA:** Atlanta Regional**Provider:** Senior Citizens Law Project**\$Total Funding:** \$140,830**Actual Costs:** \$140,830**Total # of Counties:** 10 **Counties Served:** 5**Counties Subcontracted:** 5**\*60+ Population:** 539,254**\*\*Dedicated Staff:** 5 attorneys; 2 paralegals (SCLP is an elder law unit within the larger Atlanta Legal Aid organization)

**Description:** SCLP, a program of the Atlanta legal Aid Society, Inc. provides legal representation to people over age 60 who need help solving problems involving income, health care benefits, nursing home and personal care home admission and discharge rights and conditions. SCLP is the only ELAP for whom the Georgia Senior Legal Hotline conducts telephone intake screening for all callers 60+.

SCLP located in the ALAS main office in Fulton County serves Clayton, Cobb, DeKalb, Fulton, and Gwinnett Counties directly with assistance from the Clayton, Cobb, DeKalb and Gwinnett County offices. SCLP/ALAS subcontracts Cherokee, Douglas, Fayette, Henry and Rockdale counties to Georgia Legal Services Programs, Inc.

**Budget issues:** This fiscal year, SCLP lost their Housing Specialist Attorney due to budget cuts.

**PSA:** Central Savannah River Area**Provider:** Augusta Regional GLSP\*\*\***Total Funding:** \$134,823**Actual Costs:** \$142,096.34**Total # of Counties:** 14**Counties Served:** 14**60+ Population:** 82,626**Dedicated Staff:** 2

**Description:** The Augusta office focuses on preserving affordable housing and helping clients retain or obtain financial resources during the economic downturn. It also houses part of the Elder Law Project (*Title IIIB legal-ELAP*) and the Long-Term Care Ombudsman project. Staff includes four attorneys and one paralegal serving 13 counties with more than 95,000 potentially LSC eligible clients. The Title III contract includes one additional county.

**Budget issues:** This fiscal year, the Augusta office lost their long time paralegal due to budget cuts and both their secretary and receptionist assumed 3 day work week schedules.

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\*Total Funding includes: T.3 B funds; CBS funds; Funds allocated by IFF from the SUA; and State and Local Match

\*60+ population – from 2010 Census, Summary File 1, U.S. Census Bureau

\*\*Dedicated Staff – devotes 50%+ time to ELAP duties

\*\*\*GLSP – Georgia Legal Services Programs, Inc.: a LSC grantee providing legal services to the economically needy in 154 of Georgia's 159 counties. GLSP currently provides Title IIIB contract services in 10 of the 12 PSAs and half of the service area for ALAS for Metro Atlanta.

**PSA:** Coastal Georgia**Provider:** Savannah Regional GLSP**Total Funding:** \$92,124**Actual Costs:** \$114,682**Total # of Counties:** 9 **Counties Served:** 6 **Counties Subcontracted:** 3**60+ Population:** 103,235**Dedicated Staff:** 1

**Description:** The Savannah office has four attorneys to serve 11 counties with more than 122,000 potentially LSC eligible clients. The Savannah office provides special focus on domestic violence cases, reducing poverty by helping clients retain or obtain financial benefits, and addressing housing issues. Houses a Spanish-speaking attorney, and sponsors Pro Bono Hospice Program, Elder Abuse, and Elder Law Projects; also does some Community Economic Development transactions work for grassroots and other community-based organizations.

**Budget issues:** Due to budget cuts recently lost their litigation paralegal, pro bono coordinator, homeless project senior staff attorney and one additional staff attorney and office manager, the latter is the only one scheduled to be replaced.

**PSA:** Georgia Mountains (Legacy Link)**Provider:** Gainesville Regional GLSP**Total Funding:** \$69,657**Actual Costs:** \$80,480.79**Total # of Counties:** 13 **Counties Served:** 13 **Counties Subcontracted:** 0**60+ Population:** 116,589**Dedicated Staff:** 0

**Description:** The Gainesville Office which houses the Elder Law Project and a Spanish-speaking attorney is staffed with eight attorneys and two paralegals to serve their LSC area of 27 counties with over 208,000 potentially LSC eligible clients. The Gainesville/Athens location provides special focus on serving the growing Latino population, serving rural victims of domestic violence, and addressing needs of homeless people in Athens, which is a full-time satellite office in Athens, Georgia.

**Budget issues:** Due to budget cuts, this office lost their Legal Secretary this fiscal year.

**Subcontractee:** The Gainesville Office serves Cherokee County under subcontract for the Senior Citizens Law Project of Atlanta Legal Aid Society, Inc.

**PSA:** Heart of Georgia/Altamaha**Providers:** Macon & Savannah GLSP**Total Funding:** \$73,260**60+ Population:** 58,388*Altamaha Area: Savannah GLSP**Funding:* \$ 36,578*Actual Costs:* \$46,901**Total # of Counties:** 8 **Counties Served:** 5 **Counties Subcontracted:** 3**Dedicated Staff:** 1**Description:** *See Coastal GA*

*Heart Area: Macon GLSP*

*Funding: \$36,742*

*Actual Costs: \$59,239.64*

**Total # of Counties: 8**    **Counties Served: 8**    **Counties Subcontracted: 0**

**Dedicated Staff: 0**

**Description: See Middle GA**

**PSA: Middle Georgia**

**Provider: Macon Regional GLSP**

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**Total Funding: \$75,588**

**Actual Costs: \$86,244.51**

**Total # of Counties: 10**    **Counties Served: 5**    **Counties Subcontracted: 0**

**60+ Population: 87,717**

**Dedicated Staff: 0**

**Description:** The Macon staff focuses on preserving affordable housing, reducing poverty by helping clients retain or obtain financial benefits, keeping children in schools, and serving Spanish-speaking clients. This LSC grantee is staffed by six attorneys and three paralegals to serve 23 counties with over 136,000 potentially LSC eligible clients. Macon also houses the elder law project and Skadden Fellow, who focuses on education.

**PSA: Northeast Georgia**

**Provider: Law Offices of Sherry Jackson**

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**Total Funding: \$66,942**

**Actual Costs: \$78,554.30**

**Total # of Counties: 12**    **Counties Served: 12**    **Counties Subcontracted: 0**

**60+ Population: 94,358**

**Dedicated Staff: 3**

**Description:** The AAA contracts with the Law Offices of Sherry Jackson, a minority owned private, for-profit organization designed to provide high quality legal assistance and counseling to people in the planning and service area. They have been the Elderly Legal Assistance Program contractor for 17 years. The staff consists of a managing attorney, ELAP coordinating attorney, volunteer paralegal, law clerks and interns. Located in Athens, Georgia, this provider makes good use of the University of Georgia Law School and works very closely with the institution providing volunteer, clerking and internship opportunities.

**PSA: Northwest Georgia (Coosa Valley)**

**Provider: Dalton Regional GLSP**

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**Total Funding: \$106,391**

**Actual Costs: \$115,725**

**Total # of Counties: 15**    **Counties Served: 12**    **Counties Subcontracted: 3**

**60+ Population: 154,114**

**Dedicated Staff: 0**

**Description:** With three attorneys and two paralegals, Dalton GLSP serves 12 counties with more than 56,000 potentially LSC eligible clients. Special focus is on reducing poverty by helping clients retain or obtain financial benefits, increasing services to senior citizens, and serving Spanish-speaking clients. The program houses the regional Long-Term Care Ombudsman project, Elder Law project, a Spanish-speaking attorney, and Spanish Intake Project paralegal.

The Dalton Office subcontracts 3 of its counties to the Piedmont Regional Office of GLSP.

**PSA:** River Valley

**Provider:** Columbus Regional GLSP

**Total Funding:** \$67,622

**Actual Costs:** \$80,332

**Total # of Counties:** 16 **Counties Served:** 16

**Counties Subcontracted:** 0

**60+ Population:** 66,356

**Dedicated Staff:** 0

**Description:** Focuses on housing problems, domestic violence and elder abuse, four attorneys and two paralegals serve 16 counties with more than 92,000 potentially LSC eligible clients. The Columbus office houses part of the Elder Abuse and Elder Law Projects, as well as Spanish Intake Project paralegal.

**PSA:** Southern Georgia

**Providers:** Valdosta & Brunswick GLSP

**Total Funding:** \$75,363

**Total # of Counties:** 18 **Counties Served:** 18

**Counties Subcontracted:** 0

**60+ Population:** 71,598

*South Georgia Area: Valdosta GLSP*

**Total Funding:** \$36,769

**Actual Costs:** \$91,632

**Total # of Counties:** 10 **Counties Served:** 10

**Counties Subcontracted:** 0

**Dedicated Staff:** 0

**Description:** This office lost one of its staff attorneys and their former managing attorney transferred and has not been replaced in house yet. The Valdosta office's legal management is conducted by an attorney from the Albany Regional Office of GLSP and their administrative management by the Albany Regional Office's Office Manager. The office retains 1 full-time attorney and a full-time paralegal and a senior litigation paralegal.

*Southeast Georgia Area: Brunswick/Waycross Regional GLSP*

**Total Funding:** \$38,593

**Actual Costs:** \$106,969

**Total # of Counties:** 8 **Counties Served:** 8

**Counties Subcontracted:** 0

**Dedicated Staff:** 0

**Description:** Four attorneys and two paralegals serve 14 counties with more than 75,000 potentially LSC eligible clients in our Brunswick/Waycross office. They focus on collaboration with domestic violence service providers and helping clients retain or obtain financial resources during economic downturn.

**PSA:** Southern Crescent (Three Rivers)**Provider:** Piedmont Regional GLSP**Total Funding:** \$68,605**Actual Costs:** \$83,605**Total # of Counties:** 10 **Counties Served:** 10**Counties Subcontracted:** 0**60+ Population:** 67,369**Dedicated Staff:** 2

**Description:** Serving the busy outer ring of counties around Metro Atlanta, seven attorneys and two paralegals draw cases from 15 counties with more than 192,000 potentially LSC eligible clients. Piedmont's special focus is on housing issues, keeping children in school, and serving Spanish-speaking clients. Piedmont also houses the regional Long-Term Care Ombudsman project and Elder Law Project.

**PSA:** Southwest Georgia (SOWEGA)**Provider:** Albany Regional GLSP**Total Funding:** \$69,720**Actual Costs:** \$122,542**Total # of Counties:** 14 **Counties Served:** 14**Counties Subcontracted:** 0**60+ Population:** 67,369**Dedicated Staff:** 0

**Description:** The Albany/Valdosta office has a special focus on domestic violence cases, expanding services to underserved rural counties, keeping children in schools and targeting Latino communities. It also houses part of the Elder Law Project and a Spanish-speaking attorney practices from there. The office serves 29 counties with more than 166,000 potentially LSC eligible clients. Staff includes six attorneys and three paralegals.

### *Targeting*

There are a number of categories regularly captured and tracked in the statewide reporting system lending the ability to generate reports given parameters of dates, PSAs, providers and an overall statewide total report. The categories captured include race, frail/socially needy, greatest economic need, greatest economic need minority and rural.

The following chart provides a view of the actual SFY 2011 data for each of these categories by PSA.

**Detailed Race of Unduplicated Clients:**

	Atlanta Region	Coastal GA	CSRA	GA Mtns.	Heart of GA	Middle GA	NE GA	NW GA	River Valley	SGA	SW GA	Three Rivers	Total
American Indian or Alaskan	1	0	1	2	0	0	0	3	11	0	0	0	18
Asian	4	0	0	2	0	0	0	0	1	1	0	0	8
Black, African American	460	178	181	24	101	101	52	20	53	97	208	28	1,503
Hispanic/Latino	7	6	4	8	0	1	0	6	1	4	0	0	37
Native Hawaiian/Pacific Islander	0	1	1	0	0	1	0	0	0	0	0	0	3
Other	11	3	7	1	2	0	0	4	0	1	2	3	34
White	143	168	91	136	143	86	62	168	65	167	148	53	1,430
<b>Total</b>	<b>626</b>	<b>356</b>	<b>285</b>	<b>173</b>	<b>246</b>	<b>189</b>	<b>114</b>	<b>201</b>	<b>131</b>	<b>270</b>	<b>358</b>	<b>84</b>	<b>3,033</b>

**Detailed Targeted Clients:**

	Atlanta Region	Coastal GA	CSRA	GA Mtns.	Heart of GA	Middle GA	NE GA	NW GA	River Valley	SGA	SW GA	Three Rivers	Total
Frail/Socially Needy	185	196	159	92	142	40	62	98	75	128	41	73	1,291
Greatest Economic Need	473	272	196	83	205	89	83	124	107	86	58	35	1,811
Greatest Economic Need Min	405	157	141	32	88	59	41	22	49	74	147	34	1,249
Rural	77	82	96	173	209	61	62	30	39	58	112	78	1,077

*Substantive Case Priorities*

The OAA enumerates broad categories of substantive issues that are to be given priority by all Title III B legal programs receiving funding to provide legal assistance. [Pub. L. No. 109-365 Section 307 (a)(11)(E)] These categories include: income; healthcare; long-term care; nutrition; housing; utilities; protective services; defense of guardianship; abuse, neglect; and, age discrimination.

These categories are incorporated in the statewide Standards [ODIS Manual. Aging Services, Chapter 5200 —Access to Services —ELAP 2020, Section VI, p.16 [www.odis.dhr.state.ga.us](http://www.odis.dhr.state.ga.us) ] and within these categories, specific case types exist. The case types selected, are those that are most likely to be of the most assistance to the targeted population for OAA legal assistance. Periodically, the program had the need and/or the occasion to adjust the priorities for various reasons including challenges to financial and personnel issues. At times, because of specific legal problems facing older Georgians, more emphasis has been placed on certain case types. Most recently, after Regional ELAP meetings in 2011, a set of “Core Priorities” was requested by the developer from the providers. Suggestions of those cases that presented the frequent and pressing needs of the clients served were gathered, discussed and voted on by the

providers to represent those substantive areas that would be considered first when eligible seniors requested legal assistance. These were carved out as “core” areas to triage priorities to ensure resources are most wisely utilized in resource challenged times.

The list of “Core Priorities” is as follows:

1. Miller Trusts
2. NH Medicaid
3. Medicaid Eligibility
4. NH Discharge
5. ANE – Financial Exploitation
6. SS/SSI: OP; Termination or Reduction; Disability
7. Garnishment
8. Food Stamps
9. Collections
10. LL/T Evictions (Public & Private)
11. Housing/Homeowner
12. CCSP Medicaid
13. Other LTC Issues: Residents’ Rights; PCH Discharge; Assisted Living
14. Mortgage Foreclosures/Modifications
15. Name Change/Birth Certificates
16. Bankruptcy
17. Guardianship Defense

### *Incumbent Providers*

All ELAP providers are compliant with reporting, training and often exceed some of their service requirements. This has not come without challenges however in some areas in meeting some of the requirements, particularly in the area of community education, time intensive even though it is a beneficial preventive measure for seniors. In some areas, after consultation with the developer and the respective AAA, adjustments have been made to lower the overall requirements for education sessions or to alter the schedule of visits. Frequently, these requests have come as a result of an increase in the need for direct representation and often due to loss of personnel in



individual offices because of budget shortfalls, making it more difficult for offices to spare legal staff to be on the road as much.

In the SFY 2011 Regional Meetings, providers were required to provide Assurances in a number of areas related to meeting specific requirements of ELAP Standards. A summary of those results follows.

### Assurance of Program Compliance With Specific Requirements of ELAP Standards

The Georgia Elderly Legal Assistance Program Standards establish certain criteria for service delivery and program management that directly affects the representation of clients. These items were provided for "self-reporting" assessment to each program to ascertain the current level of compliance by Georgia ELAP Providers. Of the 14 providers, these are the results:

1. 100% No person 60 years of age or older is denied legal services on the basis of his or her income or assets by this program, its subcontractors, satellite or affiliate offices.
2. 77% No more than **ten (10%) percent** of the annual closed case totals reflects the preparation of simple wills, unless documentation supports one or more of the exceptions provided for in the ELAP Standards applies.
3. 100% Legal assistance services are available and accessible to the target population groups in every county of the planning and service area.
4. 85% A focused outreach plan is utilized to achieve the goal of reaching the most vulnerable elders.
5. 100% Community education is used as a method of preventing greater legal problems by equipping seniors, caregivers and family members with knowledge that will help them avoid costlier legal problems later.
6. 100% Legal services is not limited, withheld or terminated on the basis of an older individual's gender, race, ethnic background, color, religion, sexual orientation, disability or physical/mental impairment if such is known or can reasonably be assumed and representation can be provided in keeping with the State Bar of Georgia Rules of Professional Conduct.
7. 85% Legal assistance is provided consistent with the following policy on serving non-citizens: *"The federal OAA does not prohibit using Title III B legal assistance dollars to provide representation to noncitizens unless the subject matter is one in which federal or state law, regulations or policy has specifically prohibited services or benefits to non citizens or ineligible aliens. Additionally, the Georgia Security and Immigration Compliance Act exempts these types of aging programs."*
8. 100% Representation is not provided in any civil judicial, administrative or other matter on behalf of older persons incarcerated in Federal, State or local prisons.
9. 100% Representation is not provided in criminal proceedings.
10. 77% The identity of the Georgia Elderly Legal Assistance Program and its funding source under Title III-B of the OAA is known and is clearly **distinguishable** from the program's primary business. The name, "Elderly Legal Assistance Program", (ELAP) is placed on all materials developed specifically for use by the ELAP and on all letters or correspondence to clients and others if sent on behalf of services provided under the Georgia Elderly Legal Assistance Program.
11. 100% A signed representation/service agreement is obtained and maintained in the file of every client for whom Title III B legal representation is provided.

12. 77% Clients are given a voluntary opportunity to contribute to the cost of the services they receive and are informed of the opportunity to contribute only after services have been completed.
13. 100% The provider does not subcontract or otherwise assign, designate or delegate any interest or obligation arising under the Title III B legal contract without written agreement of the Area Agency on Aging and notice to the State Legal Services Developer.
14. 100% Legal assistance is provided in the principal language spoken by clients in areas where a significant number of clients do not speak English as their principal language, in accordance with federal, state, Area Agency and Division regulations and policy with regard to Limited English Proficiency/Sensory Impairment.
15. 100% Complete and accurate AIMS programmatic and fiscal reports and other required program data is provided to the AAA and DAS in a timely manner as well as additional information as may be requested by the AAA and the State Legal Services Developer, ***while maintaining client confidentiality.***
16. 100% The program is in compliance with the Health Insurance Portability and Accountability Act (HIPAA), including the execution of Business Associate agreements with the AAA, when appropriate.
17. 100% Legal assistance including advice and representation is provided to clients referred from the long-term care ombudsman program and *GeorgiaCares* who are 60 years of age and older, where otherwise eligible and appropriate under program priorities.
18. 100% Client confidentiality is maintained in accordance with Rule 1.6 of the Georgia Rules of Professional Conduct and the Older Americans Act and Federal Regulations.
19. 100% Both ELAP and LTCO programs are housed in my agency, but steps have been taken to develop and utilize policies and procedures to protect the integrity and confidentiality of both programs. ( \_\_\_\_\_ if N/A)
20. 100% In the representation of long term care residents with impaired capacity, the program provides representation to such residents ***only*** in the manner consistent with the Memorandum of Understanding between the State Legal Services Developer and the State Long Term Care Ombudsman.
21. 100% The program develops and maintains a pro bono and/or reduced fee referral list comprised of private attorneys willing to provide legal assistance in certain substantive areas at no cost or reduced cost to specially identified eligible clients and provides a general referral list of attorneys in the planning and service area to persons who are not accepted for representation and/or assistance by the provider.
22. 100% Clients are provided with a mechanism for filing complaints or grievances about the operation of the program which identifies in addition to the legal provider's internal grievance protocol, how the client can contact the AAA and the State Legal Services Developer for assistance.

*Record of Previous Service*

In order to gauge how well priorities are being covered, to what extent legal representation is effective and to gain some perspective of the outcome of the effect of the service on the lives of older Georgians, it is necessary to review what the data tells us. To examine the different areas of data collected and see how well we are accomplishing our purposes. The following are just some of the data from the 2011 fiscal year to show us what despite the budget shortcomings, how well older Georgians were served by the ELAP providers.

The following report is a statewide glimpse of the cases closed and the details of those cases. The breakdown by PSA is too voluminous to include here but this provides at least an overview of the categories, the individual case types, and how they were resolved.

**DHS - Division of Aging Services**  
**ELAP - Statewide Closed Cases Itemized Report**  
 From 07/2010 to 06/2011

		Advice	Brief Service	Client Withdraw	Favorable admin	Favorable court	Favorable w/ sig	Favorable w/o	Insufficient Merit	Other	Referred	Resolved	Unfavorable	Unfavorable court	Unfavorable w/o	Total
<b>Administrative</b>	Food Stamps/Common	49	37	0	2	0	2	9	0	0	0	6	0	0	0	105
	LIHEAP/Utility Assists	0	2	0	0	0	0	0	0	0	0	0	0	0	0	2
	Other Income Mainten	6	8	0	0	0	1	1	0	0	0	0	0	0	0	16
	Social Security Disabl	15	3	0	4	1	0	3	0	0	0	5	0	0	0	31
	Social Security Reline	10	10	0	5	0	1	8	0	0	0	6	0	0	0	40
	SSI Disability	16	8	1	4	0	0	4	0	0	0	2	0	0	0	35
	SSI Non-Disability	8	4	0	7	0	2	3	0	0	0	4	0	0	0	28
	TANF/AFDC/Other Wa	3	1	0	1	0	0	0	0	0	0	0	0	0	0	5
	Unemployment Comp	16	0	0	5	0	0	0	0	0	0	1	0	2	0	24
	Veteran's Benefits	7	3	0	2	0	0	1	0	0	0	0	0	0	0	13
	Workfare/Job Program	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1
	<b>Total</b>	<b>130</b>	<b>77</b>	<b>1</b>	<b>30</b>	<b>1</b>	<b>6</b>	<b>26</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>23</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>300</b>
<b>Civil Rights</b>	ADA	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1
	Commitments	2	0	0	0	0	0	0	0	0	0	0	0	0	0	2
	Financial Exploitation	3	0	0	0	0	0	0	0	0	1	1	0	0	0	5
	Guardian/Conservator	5	1	0	0	1	0	0	0	0	0	0	0	0	0	7
	Immigration/Naturaliz	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1
	Other Individual Righ	5	5	0	0	0	0	0	0	0	0	0	0	0	0	10
	Physically Disabled R	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1
	<b>Total</b>	<b>17</b>	<b>7</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>27</b>
<b>Consumer</b>	Bankruptcy/Debtor Re	21	2	0	0	7	1	0	0	0	0	0	0	0	0	31

**DHS - Division of Aging Services**  
**ELAP - Statewide Closed Cases Itemized Report**

From 07/2010 to 06/2011

	Advice	Brief Service	Client Withdraw	Favorable • admin	Favorable • court	Favorable • w/ litg.	Favorable • w/o	Insufficient Mert	Other	Referred	Resolved	Unfavorable	Unfavorable court	Unfavorable w/o	Total	
<b>Consumer</b>	Chapter 13 Wage Ben	1	0	0	0	1	0	0	0	0	0	0	0	0	0	2
	Chapter 7 Bankruptcy	12	4	0	0	8	0	0	0	0	0	0	0	0	0	24
	Contracts	25	7	0	0	2	2	3	0	0	0	3	0	0	0	42
	Credit Access	2	3	0	0	0	1	2	0	0	0	0	0	0	0	8
	Debtor Harassment	9	5	0	0	0	0	2	0	0	0	0	0	0	0	18
	Guardianship	18	8	0	0	0	5	3	0	0	0	0	0	0	0	32
	Insurance	11	4	0	0	0	0	0	0	2	0	2	0	0	0	19
	Motor Vehicle Sales	2	2	0	0	0	0	0	0	0	0	0	0	0	0	4
	Other Collection	85	22	0	0	9	8	4	0	0	0	5	0	0	0	111
	Other Consumer Finan	15	9	0	0	0	0	1	0	1	0	0	0	0	0	28
	Other Loans	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1
	Public Utilities	9	13	0	0	0	0	0	0	0	0	0	0	0	0	22
	Repossession/Deficien	44	14	0	0	4	4	5	0	0	0	2	0	0	0	73
	Retail Installment Con	5	0	0	0	0	0	0	0	0	0	1	0	0	0	8
	Truth In Lending	0	0	0	0	0	0	0	0	0	0	1	0	0	0	1
	Unfair Sales Practices	2	0	0	0	0	0	0	0	0	0	0	0	0	0	2
	Warranties	1	0	0	0	0	2	0	0	0	0	0	0	0	0	3
<b>Total</b>	<b>240</b>	<b>84</b>	<b>0</b>	<b>0</b>	<b>31</b>	<b>21</b>	<b>20</b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>14</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>423</b>	
<b>Education</b>	Education Rights of D	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1
	Other Education	3	1	0	0	0	0	0	0	1	0	0	0	0	0	5
	<b>Total</b>	<b>4</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>6</b>	

**DHS - Division of Aging Services**  
**ELAP - Statewide Closed Cases Itemized Report**

From 07/2010 to 06/2011

		Advice	Brief Service	Client Withdrew	Favorable admin	Favorable court	Favorable w/ Reg.	Favorable w/o	Ineffective Int. Mett	Other	Referred	Resolved	Unfavorable	Unfavorable court	Unfavorable w/o	Total
<b>Employment</b>	Age Discrimination	2	0	0	0	0	0	0	0	0	0	0	0	0	0	2
	Other Employment	4	0	0	0	0	0	0	0	1	0	0	0	0	0	5
	Pension/Benefits	3	0	0	0	0	0	1	1	0	0	0	0	0	0	5
	Wage Claims	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1
	<b>Total</b>	<b>10</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>13</b>
<b>Family</b>	Adoption with Consent	1	0	0	0	3	0	0	0	0	0	1	0	0	0	5
	Adoption without Consent	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1
	Adult Abuse	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1
	Adult Neglect/Exploit.	0	2	0	0	0	0	1	0	0	0	0	0	0	0	3
	Annulment	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1
	Birth Certificate	4	2	0	0	0	0	0	0	1	0	0	0	0	0	7
	Child Support	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1
	Custody	2	2	1	0	2	0	0	0	0	0	0	0	0	0	7
	Divorce with Violence	2	0	1	0	2	3	0	0	0	0	0	0	0	0	8
	Divorce/No custody, etc.	7	1	0	0	4	2	0	0	0	0	0	0	0	0	14
	Family Violence Other	4	0	0	0	0	0	0	0	0	0	0	0	0	0	4
	Family Violence TPO	6	1	0	0	9	4	0	0	0	0	1	0	0	0	21
	Guardianship Children	4	0	0	0	4	0	1	0	0	0	1	0	0	0	10
	Guardianship Depute	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1
	Guardianship Petition	12	3	0	0	5	0	0	0	0	0	0	0	0	0	20
	Legitimation	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1

**DHS - Division of Aging Services**  
**ELAP - Statewide Closed Cases Itemized Report**

From 07/2010 to 06/2011

		Advice	Brief Service	Client Withdraw	Favorable admin	Favorable court	Favorable w/ Blg.	Favorable w/o	In/Outside of Merit	Other	Referred	Resolved	Unfavorable	Unfavorable court	Unfavorable w/o	Total
<b>Family</b>	Name Change	3	1	0	0	4	1	0	0	0	0	0	0	1	0	10
	Other Family	3	0	0	0	0	0	0	0	0	0	0	0	0	0	3
	Separate Maintenance	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1
	Spousal Support	1	2	0	0	0	0	1	0	0	0	0	0	0	0	4
	Visitation	2	0	0	0	0	0	0	0	0	0	0	0	0	0	2
	<b>Total</b>	<b>66</b>	<b>17</b>	<b>2</b>	<b>0</b>	<b>33</b>	<b>10</b>	<b>3</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>125</b>
<b>Health Care</b>	CCSP	1	5	0	0	0	0	0	0	0	0	0	0	0	0	8
	Health Insurance	4	2	0	1	0	0	3	0	0	0	0	0	0	0	10
	LTC Insurance	1	1	0	0	0	0	0	0	0	0	0	0	0	0	2
	Medicaid Eligibility	73	45	0	4	0	4	8	0	0	0	12	1	0	0	147
	Medicaid Withdrawal	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1
	Medical Bill/Hi Bur	0	0	0	1	0	0	0	0	0	1	0	0	0	0	2
	Medicare Eligibility	14	18	0	3	0	0	2	0	0	0	2	0	0	0	39
	Medicare HMO	0	0	0	0	0	0	0	0	0	0	1	0	0	0	1
	Medicare Part A Claim	1	2	0	0	0	0	0	0	0	0	0	0	0	0	3
	Medicare Part B Claim	3	1	0	0	0	1	0	0	0	0	0	0	0	0	5
	NH Medicaid Eligibil	17	45	0	9	2	1	4	0	3	0	19	0	0	0	100
	Nursing Home Dischar	4	2	0	4	0	6	3	0	0	0	4	0	0	0	23
	Nursing Home/Person	2	4	0	0	1	1	0	0	1	0	2	0	0	0	11
	Obtaining Health Care	3	1	0	0	0	0	1	0	0	0	0	0	0	0	5
	Other Health Problem	6	2	0	0	0	0	1	0	0	0	0	0	0	0	8



**DHS - Division of Aging Services**  
**ELAP - Statewide Closed Cases Itemized Report**

From 07/2010 to 06/2011

		Advice	Brief Service	Client Withdraw	Favorabl # admin	Favorabl # court	Favorabl # w/Blg.	Favorabl # w/o	Inaffecti of Merit	Other	Referred	Resolved	Unfavora ble	Unfavora ble court	Unfavora ble w/o	Total	
<b>Health Care</b>	Personal Care Home D	3	1	0	0	0	0	1	0	0	0	0	0	0	0	0	5
	QMB	12	12	0	1	0	0	2	0	0	0	0	0	0	0	0	27
	SLMB / G-1	4	10	0	0	0	0	1	0	0	0	0	0	0	0	0	15
	State Care Billing	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
	State Care Coverage	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
	<b>Total</b>	<b>160</b>	<b>161</b>	<b>0</b>	<b>23</b>	<b>3</b>	<b>13</b>	<b>28</b>	<b>0</b>	<b>4</b>	<b>1</b>	<b>40</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>413</b>
<b>Housing</b>	Home Repair Rip-offs	6	1	0	0	0	0	0	0	0	0	0	0	0	0	0	7
	Homeowner/Real Prop	28	20	0	0	3	3	5	0	3	0	12	0	0	0	0	74
	Mortgage Foreclosure	26	8	0	0	0	3	3	0	1	0	3	0	0	0	0	44
	Other Housing	8	3	0	0	0	1	4	0	1	0	1	0	0	0	0	18
	Private LL/T Access	3	1	0	0	0	0	0	0	0	0	0	0	0	1	0	5
	Private LL/T Evictions	25	6	0	0	2	2	2	0	0	0	1	0	0	0	0	38
	Private LL/T Repairs	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1
	Property Tax	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1
	Public Housing Access	4	2	0	0	0	0	2	0	0	0	0	0	0	0	0	8
	Public Housing Evictio	4	3	0	0	3	1	0	0	0	0	0	0	0	0	0	11
	Public Housing Quallt	0	1	0	0	0	0	2	0	0	0	0	0	0	0	0	3
	Section 235	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	1
	Section 8	4	1	0	1	0	1	0	0	1	0	1	1	0	0	0	10
	Subsidized Multi-Fam	2	4	0	2	4	0	0	0	0	0	1	0	0	0	0	13
	<b>Total</b>	<b>110</b>	<b>62</b>	<b>0</b>	<b>3</b>	<b>12</b>	<b>11</b>	<b>18</b>	<b>0</b>	<b>8</b>	<b>0</b>	<b>20</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>234</b>

**DHS - Division of Aging Services**  
**ELAP - Statewide Closed Cases Itemized Report**

From 07/2010 to 06/2011

		Advice	Brief Service	Client Withdraw	Favorable admin	Favorable court	Favorable w/ Bldg.	Favorable w/ vto	Insufficient Mett	Other	Referred	Resolved	Unfavorable	Unfavorable court	Unfavorable wto	Total
<b>Juvenile</b>	Deprived/Neglected	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1
	Other Juvenile	0	0	0	0	0	0	0	0	0	0	0	1	0	0	1
	<b>Total</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>2</b>
<b>Miscellaneous</b>	Do Not Resuscitate Ord	0	0	0	0	0	0	0	0	0	0	1	0	0	0	1
	Federal, State, Local	5	4	0	1	0	0	0	0	0	0	0	0	0	1	11
	Financial Power of At	19	106	1	0	0	0	0	0	1	0	17	0	0	0	144
	Georgia Advance Dire	17	123	0	0	0	0	0	0	1	0	67	0	0	0	208
	Licenses (Auto & Othe	3	2	0	0	0	0	0	0	0	0	1	0	0	0	6
	Other Estate / Probate	15	15	0	0	10	0	0	0	1	0	3	0	1	0	45
	Other Miscellaneous	11	5	0	0	1	0	0	0	1	0	0	0	0	0	18
	Personal Property Trs	6	7	0	0	2	0	0	2	0	0	1	0	0	0	20
	<b>Tota</b>	<b>5</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>6</b>
	Wills	60	150	0	0	5	0	2	0	4	0	71	0	0	0	301
	Year's Support	3	0	0	0	3	0	0	0	0	0	1	0	0	0	7
	<b>Total</b>	<b>166</b>	<b>412</b>	<b>1</b>	<b>1</b>	<b>21</b>	<b>0</b>	<b>2</b>	<b>2</b>	<b>9</b>	<b>0</b>	<b>162</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>767</b>
<b>Total</b>		<b>871</b>	<b>811</b>	<b>4</b>	<b>57</b>	<b>101</b>	<b>61</b>	<b>99</b>	<b>3</b>	<b>25</b>	<b>3</b>	<b>164</b>	<b>4</b>	<b>4</b>	<b>1</b>	<b>2,810</b>

The cases that are opened are also entered according to detail and are provided as follows:

**DHS - Division of Aging Services**  
**ELAP - Statewide Pending Cases Itemized Report**

Print date:  
Print time:

From 07/2010 to 06/2011

		Atlanta Region	Coastal GA	CSRA	GA Mtns.	Heart of GA	Middle GA	NE GA	NW GA	River Valley	SGA	SW GA
Administrative	Food Stamps/Commodi	7	10	27	15	45	3	0	19	0	8	10
	LIHEAP/Utility Assistan	0	0	0	0	7	0	0	0	0	0	0
	Other Income Maintena	0	1	1	0	12	1	0	0	3	0	4
	Social Security Disabilit	5	3	4	4	2	0	0	3	2	5	7
	Social Security Retirem	28	7	5	4	3	0	0	8	0	3	0
	SSI Disability	0	7	11	1	2	1	1	2	2	6	7
	SSI Non-Disability	16	2	0	1	5	2	2	1	1	0	4
	TANF/AFDC/Other Wel	1	0	1	0	0	0	0	0	0	1	0
	Unemployment Comper	2	0	6	2	0	4	1	5	1	3	5
	Veteran's Benefits	5	1	0	0	2	1	0	3	1	3	3
<b>Total</b>	<b>64</b>	<b>31</b>	<b>55</b>	<b>27</b>	<b>78</b>	<b>12</b>	<b>4</b>	<b>41</b>	<b>10</b>	<b>29</b>	<b>40</b>	
Civil Rights	ADA	0	1	0	0	0	0	0	0	0	0	0
	Commitments	1	0	0	0	0	0	0	0	0	0	0
	Financial Exploitation	5	0	0	0	0	0	2	0	0	0	0
	Guardian/Conservators	6	0	0	0	0	1	0	0	0	0	1
	Immigration/Naturalizat	1	0	0	0	0	0	0	1	0	0	0
	Other Individual Rights	1	6	0	0	0	0	2	2	0	1	0
	Physically Disabled Rig	1	0	0	0	0	0	0	0	0	0	0
<b>Total</b>	<b>15</b>	<b>7</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>4</b>	<b>3</b>	<b>0</b>	<b>1</b>	<b>1</b>	
Consumer	Bankruptcy/Debtor Reli	11	0	2	0	0	2	0	4	5	1	24
	Chapter 13 Wage Bank	0	0	0	0	0	1	0	0	0	0	0

		Three Rivers	Total
Administrative	Food Stamps/Commodi	5	149
	LHEAP/Utility Assistan	0	7
	Other Income Maintena	2	24
	Social Security Disabilit	4	39
	Social Security Retirem	0	58
	SSI Disability	2	42
	SSI Non-Disability	0	34
	TANF/AFDC/Other Wel	0	3
	Unemployment Compen	0	29
	Veteran's Benefits	0	19
	<b>Total</b>	<b>13</b>	<b>404</b>
Civil Rights	ADA	0	1
	Commitments	0	1
	Financial Exploitation	0	7
	Guardian/Conservators	0	8
	Immigration/Naturalizat	0	2
	Other Individual Rights	0	12
	Physically Disabled Rig	0	1
	<b>Total</b>	<b>0</b>	<b>32</b>
Consumer	Bankruptcy/Debtor Reli	0	48
	Chapter 13 Wage Bank	0	1

**DHS - Division of Aging Services**  
**ELAP - Statewide Pending Cases Itemized Report**

Print date: 07

Print time:

Pa

From 07/2010 to 06/2011

		Atlanta Region	Coastal GA	CSRA	GA Mtns.	Heart of GA	Middle GA	NE GA	NW GA	River Valley	SGA	SW GA
Consumer	Chapter 7 Bankruptcy	0	8	4	0	3	4	0	5	3	1	0
	Contracts	15	12	3	0	0	1	1	4	5	7	2
	Credit Access	2	7	0	0	0	0	0	0	1	0	0
	Credit Denial	0	3	0	0	0	0	0	0	1	0	0
	Debtor Harassment	0	0	0	3	0	0	1	8	0	0	0
	Farm Loans	0	1	0	0	0	0	0	0	0	0	0
	Garnishment	0	4	4	9	3	1	1	4	1	1	0
	Insurance	7	9	1	0	1	1	0	1	0	0	0
	Motor Vehicle Sales	3	0	0	0	0	0	0	1	0	0	0
	Other Collection	64	15	17	7	2	3	19	6	5	37	23
	Other Consumer financ	7	9	2	0	2	4	0	2	0	2	1
	Other Loans	2	0	1	0	0	0	0	0	1	2	2
	Public Utilities	5	2	4	0	22	0	0	3	0	2	3
	Repossession/Default	0	13	13	0	9	14	0	17	6	8	1
	Retail Installment Contr	1	0	0	0	0	0	0	0	0	0	1
	Truth In Lending	0	0	0	0	0	0	0	0	0	0	1
	Unfair Sales Practices	1	1	2	0	1	0	0	3	0	0	0
	Warranties	0	2	0	0	0	0	1	0	0	0	0
<b>Total</b>		<b>118</b>	<b>86</b>	<b>53</b>	<b>19</b>	<b>43</b>	<b>31</b>	<b>23</b>	<b>58</b>	<b>28</b>	<b>61</b>	<b>58</b>
Education	Other Education	1	4	0	0	0	0	0	1	0	0	0
	<b>Total</b>	<b>1</b>	<b>4</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>

		Three Rivers	Total
Consumer	Chapter 7 Bankruptcy	1	29
	Contracts	1	51
	Credit Access	0	10
	Credit Denial	0	4
	Debtor Possession	0	12
	Firm Loans	0	1
	Garnishment	2	30
	Insurance	0	20
	Motor Vehicle Sales	0	4
	Other Collection	5	203
	Other Consumer Finance	0	29
	Other Loans	0	8
	Public Utilities	0	41
	Repossession/Deficient	11	52
	Retail Installment Contracts	0	2
	Truth in Lending	0	1
	Unfair Sales Practices	0	8
	Warranties	0	3
	<b>Total</b>	<b>20</b>	<b>598</b>
	Education	Other Education	0
<b>Total</b>		<b>0</b>	<b>6</b>

**DHS - Division of Aging Services  
ELAP - Statewide Pending Cases Itemized Report**

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From 07/2010 to 06/2011

		Atlanta Region	Coastal GA	CSRA	GA Mtns.	Heart of GA	Middle GA	NE GA	NW GA	River Valley	SGA	SW GA
Employment	Age Discrimination	3	0	0	0	0	0	0	0	0	0	0
	Other Employment	2	1	0	0	0	0	0	1	1	0	1
	Pensions/Benefits	2	0	0	0	0	0	1	1	0	0	0
	Wage Claims	2	1	0	0	0	0	0	0	0	0	0
	<b>Total</b>	<b>9</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>2</b>	<b>1</b>	<b>0</b>	<b>1</b>
Family	Adoption with Consent	0	0	0	0	0	1	0	1	0	0	0
	Adoption without Cons	0	0	0	0	0	0	0	1	0	0	0
	Adult Neglect/Exploit.	0	0	1	0	0	0	0	2	0	0	0
	Annulment	0	0	0	0	0	0	1	0	0	0	0
	Birth Certificate	2	2	2	0	0	0	2	0	1	0	0
	Child Support	1	1	0	0	0	0	0	0	0	1	0
	Custody	0	0	0	0	0	1	1	1	2	1	0
	Divorce with Violence	0	1	0	0	0	1	0	0	0	2	0
	Divorce/No custody, ab	0	0	0	0	0	5	0	0	2	2	4
	Family Violence Other	2	0	0	1	0	0	0	1	0	0	0
	Family Violence TPO	0	2	6	3	1	1	0	1	0	5	2
	Guardianship Children	0	0	4	1	0	0	0	2	1	7	5
	Guardianship Dispute	0	0	1	0	0	1	0	0	8	0	0
	Guardianship Petition	5	7	0	1	0	0	0	1	1	3	0
	Name Change	2	2	0	1	0	1	0	2	0	2	10
	Other Family	4	1	1	1	1	0	0	0	0	2	1



		Three Rivers	Total
<b>Employment</b>	Age Discrimination	0	3
	Other Employment	0	6
	Pensions/Benefits	0	4
	Wage Claims	0	3
	<b>Total</b>	0	16
<b>Family</b>	Adoption with Consent	0	2
	Adoption without Cons	0	1
	Adult Neglect/Exploit.	0	3
	Annulment	0	1
	Birth Certificate	0	9
	Child Support	0	3
	Custody	1	7
	Divorce with Violence	1	5
	Divorce/No custody, ab	0	13
	Family Violence Other	0	4
	Family Violence TPO	0	21
	Guardianship Children	1	21
	Guardianship Dispute	0	10
	Guardianship Petition	0	18
	Name Change	3	23
	Other Family	0	10

**DHS - Division of Aging Services**  
**ELAP - Statewide Pending Cases Itemized Report**

Print date: 07

Print time: 7h

From 07/2010 to 06/2011

		Atlanta Region	Coastal GA	CSRA	GA Mtns.	Heart of GA	Middle GA	NE GA	NW GA	River Valley	SGA	SW GA
Family	Separate Maintenance	0	0	0	0	0	0	1	0	0	0	0
	Spousal Support	0	1	1	0	0	0	0	0	1	2	2
	Visitation	0	1	0	0	0	0	0	0	1	0	0
	<b>Total</b>	<b>16</b>	<b>18</b>	<b>16</b>	<b>8</b>	<b>1</b>	<b>11</b>	<b>5</b>	<b>12</b>	<b>19</b>	<b>28</b>	<b>23</b>
Health Care	CCSP	2	0	3	0	0	0	2	0	0	0	0
	EPSODT	0	0	1	0	0	0	0	0	0	0	0
	Health Insurance	0	0	0	0	2	11	0	0	1	0	0
	LTC Insurance	0	0	0	0	0	0	0	0	1	1	0
	Medicaid Eligibility	28	29	22	20	10	3	1	22	2	28	14
	Medicaid Waived/HCE	0	0	0	0	0	0	0	2	0	0	0
	Medical Bill/Hill Burton	0	0	0	0	0	0	1	0	0	0	0
	Medicare Eligibility	12	4	4	1	29	0	0	2	0	1	9
	Medicare HMO	0	1	0	0	0	0	0	1	0	0	0
	Medicare Part A Claim	0	0	0	0	1	0	0	0	0	1	0
	Medicare Part B Claim	0	1	1	0	0	1	0	1	0	0	0
	NH Medicaid Eligibility	30	20	3	7	11	28	10	4	2	8	7
	Nursing Home Discharg	32	1	1	4	0	0	1	0	0	0	0
	Nursing Home/Persons	0	2	5	1	0	0	0	1	1	0	2
	Obtaining Health Care/	2	2	0	1	0	0	0	0	0	0	5
	Other Health Problems	0	0	0	0	0	0	0	1	0	4	5
	Personal Care Home Di	4	0	0	1	0	0	0	0	0	0	0

		Three Rivers	Total
<b>Family</b>	Separate Maintenance	0	1
	Spousal Support	1	8
	Visitation	0	2
	<b>Total</b>	<b>7</b>	<b>162</b>
<b>Health Care</b>	CCSP	0	7
	EPSOOT	0	1
	Health Insurance	0	14
	LTC Insurance	0	2
	Medicaid Eligibility	15	190
	Medicaid Waiver/HCS	0	2
	Medical Bills/Hill Burton	0	1
	Medicare Eligibility	2	64
	Medicare HMO	0	2
	Medicare Part A Claim	0	2
	Medicare Part B Claim	0	4
	NH Medicaid Eligibility	0	128
	Nursing Home Discharg	0	39
	Nursing Home/Persons	10	22
	Obtaining Health Care/A	0	10
	Other Health Problems	0	10
Personal Care Home DI	0	5	

**DHS - Division of Aging Services**  
**ELAP - Statewide Pending Cases Itemized Report**

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Page

From 07/2010 to 06/2011

		Atlanta Region	Coastal GA	CSRA	GA Mtns.	Heart of GA	Middle GA	NE GA	NW GA	River Valley	SGA	SW GA
Health Care	GMS	9	0	10	0	8	0	3	0	0	0	0
	SLMB / Q-1	0	5	0	0	9	0	0	4	0	2	0
	State Care Billing	0	0	0	0	0	1	0	0	0	0	0
	State Care Coverage	0	0	1	0	0	0	0	0	0	0	0
	<b>Total</b>	<b>119</b>	<b>65</b>	<b>51</b>	<b>36</b>	<b>70</b>	<b>44</b>	<b>18</b>	<b>38</b>	<b>7</b>	<b>41</b>	<b>42</b>
Housing	CDBG Programs	0	1	0	0	0	0	0	0	0	0	0
	Home Repair Rip-off	0	4	0	0	1	3	0	0	1	3	0
	Homeownership Prop.	96	14	3	3	6	2	1	7	1	5	11
	Mortgage Foreclosure	51	6	0	15	1	4	1	4	1	2	14
	Other Housing	7	3	4	0	0	0	0	1	0	2	1
	Private LLT Access	0	0	0	0	0	0	0	1	2	1	0
	Private LLT Evictions	15	6	8	0	0	2	3	4	10	2	5
	Private LLT Lockout	0	0	0	0	0	0	0	0	0	1	0
	Private LLT Repairs	0	0	0	0	0	0	0	0	0	2	0
	Property Tax	2	0	0	0	0	0	0	0	0	0	0
	Public Housing Access	0	2	1	0	0	0	0	1	3	1	3
	Public Housing Eviction	4	0	2	0	0	0	1	3	0	0	0
	Section 8	1	0	4	2	1	2	1	1	1	0	0
	Subsidized Multi-Family	0	1	3	0	0	2	0	0	0	1	1
	<b>Total</b>	<b>176</b>	<b>37</b>	<b>26</b>	<b>20</b>	<b>9</b>	<b>15</b>	<b>7</b>	<b>22</b>	<b>19</b>	<b>20</b>	<b>35</b>
Juvenile	Delinquent	0	0	0	0	0	0	0	0	0	1	0

		Three Rivers	Total
Health Care	OMB	0	30
	SLMB / Q-1	0	20
	State Care Billing	0	1
	State Care Coverage	0	1
	<b>Total</b>	<b>0</b>	<b>53</b>
Housing	CDBG Programs	0	1
	Home Repair Rip-offs	1	13
	Homeowner/Real Prop.	1	150
	Mortgage Foreclosure	1	100
	Other Housing	2	20
	Private LL/T Access	1	5
	Private LL/T Evictions	3	58
	Private LL/T Lockout	0	1
	Private LL/T Repairs	0	2
	Property Tax	0	2
	Public Housing Access	0	11
	Public Housing Eviction	0	10
	Section 8	1	14
	Subsidized Multi-Family	2	10
	<b>Total</b>	<b>12</b>	<b>387</b>
Juvenile	Delinquent	0	1

**DHS - Division of Aging Services**  
**ELAP - Statewide Pending Cases Itemized Report**

Print date:

Print time:

From 07/2010 to 06/2011

		Atlanta Region	Coastal GA	CSRA	GA Mtns.	Heart of GA	Middle GA	NE GA	NW GA	River Valley	SGA	SW GA
Juvenile	Deprived/Neglected	0	1	0	0	0	0	0	0	0	0	0
	<b>Total</b>	0	1	0	0	0	0	0	0	0	1	0
Miscellaneous	Federal, State, Local Tax	5	3	0	0	0	0	0	3	0	1	0
	Financial Power of Atty	15	35	28	36	13	3	38	16	2	28	0
	Georgia Advance Direc	5	34	31	32	20	18	27	11	18	40	88
	Licenses (Auto & Other)	1	3	0	0	0	0	0	0	0	0	0
	Other Estate / Probate	30	15	18	0	4	7	1	1	3	1	0
	Other Miscellaneous	38	0	5	1	2	3	0	2	0	2	2
	Personal Property Titles	3	3	7	0	1	0	0	1	3	2	0
	Torts	8	0	0	0	0	0	0	1	2	0	0
	Wills	6	89	38	42	41	59	9	20	23	62	88
	Year's Support	3	0	0	0	0	0	2	0	0	0	0
	<b>Total</b>		115	162	127	111	81	90	77	55	51	136
<b>Total</b>		<b>633</b>	<b>413</b>	<b>327</b>	<b>220</b>	<b>282</b>	<b>294</b>	<b>139</b>	<b>232</b>	<b>136</b>	<b>315</b>	<b>358</b>

		Three Rivers	Total
Juvenile	Deprived/Neglected	0	1
	Total	0	2
Miscellaneous	Federal, State, Local Tax	0	12
	Financial Power of Atto	4	218
	Georgia Advance Direc	1	325
	Licenses (Auto & Othe	0	4
	Other Estate / Probate	0	60
	Other Miscellaneous	1	57
	Personal Property Titles	0	20
	Torts	0	11
	Wills	12	449
	Year's Support	0	5
	Total	18	1,181
	Total		68



*Overall View*

An overall view of the past fiscal year’s service is always compiled in an End-of-Year Data Summary by the developer. It includes some significant case narratives from each of the ELAP providers and highlights the work done throughout the year.

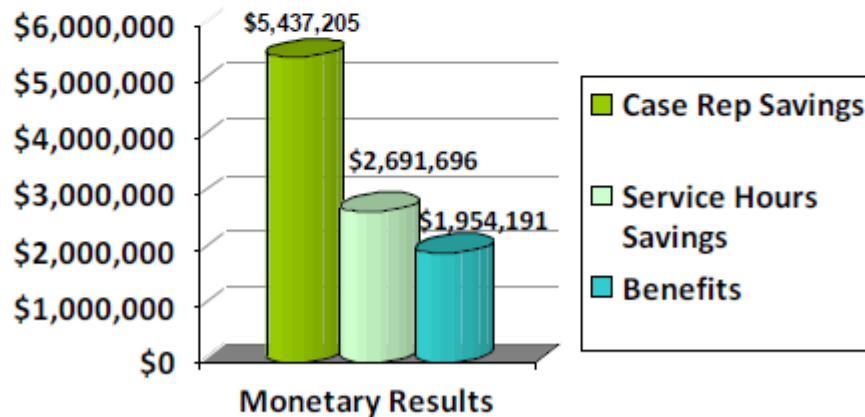
This summary follows.

**State Fiscal Year 2011**

*July 1, 2010 – June 30, 2011*

**SNAPSHOT TOTALS**

- Total Persons Served: 23,494
- Total Hours: 35,889:29
- Total Cases Opened: 3,352
- Unduplicated Cases Opened: 3,033
- Total Cases Closed: 2,310
- Total I&R: 5,207
- Total CE Sessions: 547
- Total CE Persons: 14,935
- Total Savings from Hours: \$2,691,696.75
- Total Savings from Case Representation and Document Preparation: \$5,437,205
- Total Benefits Obtained through Case Representation: \$1,954,191



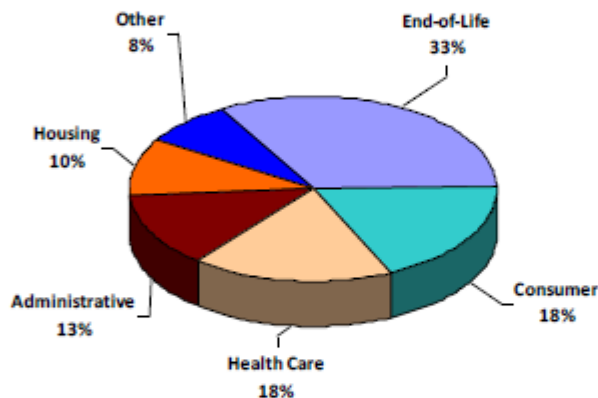
**TOTALS OF TARGET POPULATION SERVED**

American Indian or Alaskan – 18/.59%  
 Black, African American – 1,503/51%  
 Native Hawaiian/Pacific Islander – 3/.1%  
 Other – 34/1.1%

Asian – 8/.26%  
 Hispanic/Latino – 37/1.2%  
 White – 1,430/47%  
 Did not disclose – 1/.03%

Frail/Socially Needy – 1,291/42.6%  
 Greatest Economic Need – 1,811/60%  
 Greatest Economic Need Minority – 1,249/41.2%  
 Rural – 1,077/35.5%

**TOP FIVE TYPES – CASES CLOSED -2,310**



1. End of Life- 767/33.2%
  - a. Wills – 301/13%
  - b. Georgia Advance Directive for Healthcare – 208/8.8%
  - c. Financial Powers of Attorney – 144/6.2%
  - d. Estate/Probate – 45/1.9%
  - e. Personal Property Title – 20/.86%
  
2. Consumer – 423/18.3%
  - a. Collections – 111/4.8%
  - b. Repossessions/Deficiencies – 73/3.2%
  - c. Contracts – 42/1.8%
  - d. Garnishment – 32/1.4%
  - e. Consumer Finance – 26/1.1%

3. Health Care – 413/17.9%
  - a. Medicaid Eligibility– 147/6.4%
  - b. Nursing home Medicaid Eligibility – 100/4.3%
  - c. Medicare Eligibility – 39/1.7%
  - d. QMB– 27/1.2%
  - e. Nursing Home Discharge – 23/1.0%
4. Administrative – 300/13%
  - a. Food Stamps – 105/4.5%
  - b. Social Security – 40/1.7%
  - c. SSI – 35/1.5%
  - d. SS-D – 31/1.3%
  - e. SSI – 28/1.2%
5. Housing –234/10%
  - a. Homeowner/Real Property – 74/3.2%
  - b. Mortgage Foreclosure – 44/1.9%
  - c. Private LL/T Eviction– 38/1.6%
  - d. Other Housing – 18/.77%
  - e. Subsidized Multi-Family – 13/.56%

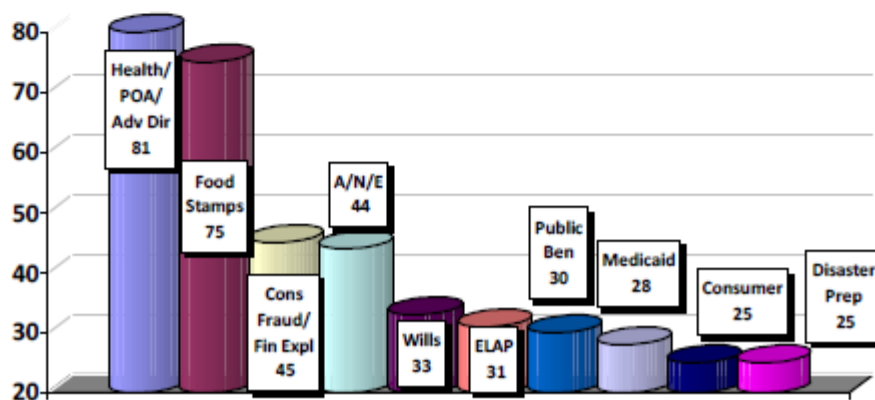
**TOP FIVE TYPES – CASES OPENED -3,352**

1. End of Life – 1,181/35%
  - a. Wills – 449/13.4%
  - b. Georgia Advance Directive for Healthcare – 325/9.7%
  - c. Financial Powers of Attorney – 218/6.5%
  - d. Estate/Probate – 80/2.4%
  - e. Miscellaneous – 57/1.7%
2. Consumer – 598/17.8%
  - a. Collection – 203/6%
  - b. Repossession/Deficiency – 92/2.7%
  - c. Contracts– 51/1.5%
  - d. Public Utilities – 41/6.8%
  - e. Garnishment– 30/.89%
3. Healthcare – 555/16.5%
  - a. Medicaid Eligibility – 190/5.7%
  - b. NH Medicaid Eligibility – 128/3.8%
  - c. Medicare Eligibility – 64/1.9%

- d. Nursing Home Discharge – 39/1.2%
- e. QMB – 30/.89%
  
- 4. Housing – 397/11.8%
  - a. Homeowner/Real Property – 150/4.5%
  - b. Mortgage Foreclosure – 100/3%
  - c. Private LL/T Eviction– 58/1.7%
  - d. Other Housing – 20/.59%
  - e. Section 8 – 14/.42%
  
- 5. Administrative – 404/12%
  - a. Food Stamps – 149/4.4%
  - b. Social Security – 58/1.7%
  - c. SSI-Disability – 42/1.2%
  - d. SS-D – 39/1.2%
  - e. SSI – 34/1%

**TOP TEN COMMUNITY EDUCATION TOPICS -547**

1. Health Law/POA/GA Advance Directive for Health Care – 81/14.8%
2. Food Stamps – 75/13.7%
3. Consumer Fraud/Financial Exploitation – 45/8.2%
4. Abuse/Neglect/Exploitation – 44/8%
5. Last Wills and Testaments – 33/6%
6. Elderly Legal Assistance Program – 31/ 5.7%
7. Public Benefits – 30/5.5%
8. Medicaid – 28/5.1%
9. Consumer – 25/4.5%
10. Disaster Preparation – 31/4.8%



**SERVICE IMPACT – SIGNIFICANT CASE NARRATIVES**

1. 74 yr old NH resident threatened with **discharge for nonpayment** because of problems with the Medicaid application. ELAP filed an appeal of the discharge and successfully represented the resident at an OSAH hearing. The Medicaid application was approved and benefits cleared a \$48,000 nursing home bill and provided ongoing benefits.
2. A 68 year old client was **terminated from the SNAP (food stamp) program** because she failed to show up for her annual recertification review. Unfortunately, the client received the notice of the review two months after the date of the scheduled review. A hearing was requested and a pre-hearing conference resulted in \$476 in monetary savings for two months of benefits.
3. A 77 year old female sought assistance from ELAP when she was faced with the **loss of her home that she had purchased in 2006**. The client had made a \$10,000 down payment and agreed to pay \$65,000 in installments. After signing the closing documents, she found out that the house was titled to the seller's parents and not the seller. Attempts were made to contact the actual owner to pay off the loan but were unsuccessful. Two years later, she finally contacted the seller and agreed to pay \$5,000 less to satisfy the loan. Shortly thereafter, the attorney for the actual owner contact client to set up a payment plan for repayment of the \$65,000 to him. The seller/owner sued his son for forgery and nine months after client paid off the seller/son. The previous owner foreclosed on the house after client refused to respond to attempts to make contact. Client hired a private attorney to represent her with the foreclosure but when the attorney failed to act, the previous owner bought the house back at the foreclosure sale for \$68,000. ELAP accepted the case in December 2008 and paid a private attorney to accept the case at a reduced fee. The attorney worked diligently for two and a half years through mediation and various depositions. The case finally went to a jury trial. The jury was unable to reach a verdict and the Judge ordered the parties to work out a settlement. A settlement was reached conveying all rights, title and interest in the home to the client and the client also received a \$7,500 settlement.
4. 63 year old client in a **Federal District Court suit against a home mortgage lender** for violating the Georgia Residential Mortgage Act and Unfair and Deceptive Trade Practices to the Elderly Act. ELAP reached a settlement on the client's behalf resulting in a short pay of the mortgage balance with reverse mortgage proceeds. A portion of the mortgage debt in the amount of \$34,315 was eliminated and the client was allowed to remain in the home.
5. ELAP represented a 70 year old client **charged with a \$39,186 Social Security overpayment** because the agency claimed that her earnings exceeded the income for a disabled person. The agency decision was based partially on an incorrect date of birth for the client. After correct documentation of the client's date of birth was provided to Social Security, the overpayment was reduced by \$22,951 to \$15,235 which was recouped at \$50.00 per month from the client's ongoing benefit.
6. 74 yr old client needed assistance with a **\$39,084 SS overpayment**. Client's spouse died and client continued to receive the disabled spouse's benefits through direct deposit and his own benefits. SSA alleged that client had never reported his wife's death and charged attempted fraud in the collection of the benefits. Evidence was found in the file that client had indeed reported his wife's death. However, client did believe he was entitled to continue to receive the benefits acting under the mistaken belief that his spouse was simply receiving "one-half" of his benefits, thus his benefits were reduced because she received the "other half". Client explained that he was told this by a SSA worker when he applied for benefits in CA initially. Client thought the wife's benefits "reverted" to him. ELAP filed a waiver which was denied but did get SSA to agree to accept \$30 a month as repayment instead of withholding client's entire check. Client wisely chose not to appeal that decision.

7. 84 yr old client sought ELAP assistance because his **medical debts** prevented him from seeking medical attention and he had ceased medical treatment and pursuit of any other medical care. The client considered bankruptcy for the debt. ELAP investigated and discovered that the client was a veteran, eligible for free medical treatment and prescription drug coverage, travel reimbursement and a possible pension from the Veteran's Administration. ELAP assisted client in obtaining a waiver of the outstanding medical debts of \$1,395.14 and referred the client to a private attorney for advice on bankruptcy of non-medical debts.
8. 68 yr old client received a **discharge notice** from the nursing home for nonpayment. His SSI application had been denied on the basis that he was an ineligible noncitizen. ELAP appealed the denial and an Administrative Law Judge agreed that the client was an eligible noncitizen and reversed the decision of the Social Security Administration. The discharge notice was withdrawn by the facility and Medicaid paid the outstanding \$169,314 retroactively and client became eligible for ongoing Medicaid benefits in the monthly amount of \$4,734.
9. 68 yr old Hispanic client spoke Spanish with limited English proficiency limiting her ability to effectively communicate with her landlord. Client provided notice of termination of her tenancy and that she was vacating the premises. The landlord refused to return the client's security deposit or provide written accounting explaining the reason for the retention of the deposit. ELAP made contact with the landlord, upon which, the \$895 **security deposit** was promptly returned.
10. 70 yr old client advised about a **debt resolution repayment agreement**. Client had agreed in writing to pay unsecured creditors and proceeded to pay \$559 a month from Social Security and pension income. Client also had a reverse mortgage fully securing the house; she was advised that she was judgment proof. The contract with the debt resolution agency was rescinded and client received a refund of \$262.60. The revocation of the contract saved client \$24,225 of which only \$16,296 would have been applied to the creditors. The matter was then referred to a private attorney who accepted the case on a contingency fee basis to pursue possible consumer law violations against the debt resolution agency.
11. A 77 yr old disabled client was served with **suit from a creditor** for a debt and requested assistance from ELAP to dispute that he had a duty to pay. The client indicated that he had credit disability insurance that was supposed to pay off the indebtedness. The creditor claimed client did not have such insurance. ELAP entered negotiations on client's behalf and a settlement was reached voiding the entire amount the debt of \$7,000 and obtaining a \$500 refund for the client.
12. A 71 yr old client was assessed a **"fleeing felon" overpayment** for a 2/2006 warrant previously unknown to her. When she contacted the sheriff's office to obtain details, she was arrested. Client obtained bond and found out that the matter stemmed from a 2006 attempt to repossess a car by a car dealership. Client believing she had a way to make the payments, refused to surrender the car to the repossession and instead took it in to the dealer. The dealer did not communicate that to the contracted repossession entity who had a warrant filed against the client for "willful concealment of property/secreting property to defraud another. Client was never served on the warrant and had no notice of its existence. Client was able to resolve the warrant by contacting the dealership, district attorney and magistrate court. Her SS benefits were reinstated. However, client had a \$35,654 overpayment and ELAP represented her and filed a waiver request. The waiver was granted. ELAP successfully pursued reimbursement under *Martinez v. Astrue* and client received \$4,704 for wrongly withheld benefits.
13. A 73 yr old client was notified by SSA of a \$20,000 **overpayment** from an alleged miscalculation of her rent amount. Client requested assistance. Client rented from her son. When he verified the rental amount to SSA, he was apparently under the mistaken impression that he was supposed to inform SSA that he would have rented the same property to anyone else at a higher rate than that given to his



mother. ELAP successfully argued that client's son acted under a "misunderstanding" in their petition for a waiver of the \$20,000 overpayment. SSA granted the waiver.

14. 78 yr old client applied for Medicaid in 2007 and was denied due to a **transfer of assets penalty** exceeding \$800,000, disqualifying her from eligibility for more than 20 years at the current rates. Since her current expenses at the facility were not being paid, the facility was threatening to discharge. ELAP requested a hardship waiver, which was denied. An appeal was filed with the Office of State Administrative Hearings (OSAH) and the hardship waiver was approved. DFCS filed an appeal with the Department of Community Health (DCH) and the OSAH decision was upheld. DFCS did not file a timely appeal in Superior Court and client's Medicaid benefits were put in place retroactively and the \$807,500 penalty was set aside.
15. 68 yr old client requested ELAP's assistance **defending the termination of temporary guardianship of her great grandchild** whom client had since birth and for whom she had obtained the guardianship order in 2001. ELAP filed the necessary paperwork and represented the client. The Judge determined that enough evidence was presented to justify that the client's guardianship of her great grandchild should not be terminated.
16. 76 yr old client was being **physically abused by her alcoholic son**. Client needed assistance since the house she lived in was in the name of her eldest son who threatened to evict her if she did not allow the abusive son to live there. ELAP file a Family Violence Temporary Protective Order which was granted and the abusive son was order to vacate the home and stay away from the client.
17. 69 yr old client was being **physically abused by his wife** who was abusing drugs and stealing client's money. Client obtained a temporary protective order ex parte but by the time ELAP was engaged to extend the order to 12 months, the wife had fled and could not be served. ELAP petitioned for divorce on the client's behalf, service was executed through publication and client obtained a divorce and freedom from wife's right to return client to the abusive situation.
18. 92 yr old client adjudicated incompetent by a Probate Court in 2006 and appointed a guardian and conservator. The client, a nursing home resident, requested ELAP assistance in **terminating the guardianship/conservatorship and restoring her rights**. With a physician's affidavit supporting the client's case, a petition requesting the termination was granted in part and modified in part. The court terminated the guardianship and restored client's rights of person, and removed the current conservator, the client's son who had mishandled her finances, but appointed a county conservator to replace him. The court also ordered the son to reimburse the client for \$3,000 for which he could not account.
19. 67 yr old client was represented by ELAP in matters stemming from a **2004 loan**. Claims were made under the Georgia Residential Mortgage Act and the Unfair and Deceptive Practices Towards the Elderly Act and pursued in Fulton County Superior Court but later transferred to the U.S. District Court. ELAP reached a settlement with the lender changing the ARM from 10.45% to a fixed 4%. The monthly payments, principal and interest, went from \$1,132.49 to \$538.05 and the entire balance was reduced by \$22,000 lowering the payments for the remaining term of the loan by a total of \$183,300.
20. 68 yr old client experienced a **change in health care premiums** when her SS benefits ceased after state pension benefits began. As a result, her \$19.30 health insurance premiums instantly rose to \$590.80 because Medicare benefits also ceased since Medicare premiums, formerly deducted from client's SS payments, were no longer paid,. ELAP initiated an investigation and client's health care premiums were temporarily reduced to \$125.30. For four months, Medicare owed back premiums totaling \$2,107 and SS agreed to reinstate Medicare coverage in exchange for client's agreement to pay \$100 per month towards the arrearage plus regular future quarterly premiums. Monthly premiums were once again reduced to \$19.30.

### Systemic Impact Work

A situation that arose from a 74 year old client having a Food Stamp overpayment due to agency error illuminated a gap in policy that did not allow for a waiver process even in the event of an agency error where an overpayment was at issue. For this elderly client and others similarly situated who are on fixed incomes, the recovery of the overpayment can place the client in dire circumstances when access to needed sustenance is unavailable.

The ELAP worked with their program's Food Stamp specialist to find a way to get the state to create a FS overpayment waiver policy to fill this void. The client whose situation brought this matter to light volunteered to be the client for the administrative advocacy work that would follow.

The initial petition for rule making was filed in 11/09 with the DHS Board of Directors who agreed such a policy was needed and directed the Division of Family and Children Services to commence work. DFCS' position was that internal policy governed and thus a rule-making petition was not appropriate and thus denied the petition. They did however agree to change the internal policy. Months transpired while the policy was written and a new policy was released 9/10 and was called a "compromise".

The "compromise" allowed for automatic reduction of an overpayment for current recipients who requested it down to what the household would pay off after withholding 10% per month for 36 months. It also included a policy for those who no longer received benefits to ask for a hardship waiver based on circumstances like foreclosure, disability, job loss, etc. A full waiver as requested was not included in the policy change.

Several more months would pass before DFCS would issue the notice of the new policy for overpayments to clients and advise them to call the Call Center to request a compromise. A new notice was also created to inform clients of whether their compromise request was approved or denied. ELAP worked closely with the agency a new repayment agreement.

ELAP was able to secure a copy of the new repayment agreement when another client requested a compromise and thus the policy was finally fully created and implemented.

ELAP developed a specific client education brochure on the new FS overpayment waiver policy in December 2010.



## ***Observations & Recommendations***

Every program has the potential to become better, stronger and more efficient in accomplishing its purposes and serving its target population. This is also true for Georgia's Elderly Legal Assistance Program. Below are some observations and recommendations to be considered in enhancing and strengthening ELAP for maximum quality and quantity of legal services to Georgia's most vulnerable elderly who have a need to access legal services.

### **Planning & Advocacy for Legal Services**

Legal assistance is often an "after thought" if that in the planning and advocacy for the needs of older adults, even though it has been proven to be a vital tool in maintaining, exercising and affirming rights and benefits of the vulnerable older population. More work needs to be done to ensure that legal services becomes a priority in the state agency on aging planning and advocacy to enable legal to meet the needs as a priority service of the OAA.

### **Renewed Focus on Elder Rights System**

The 1992 Amendments of the OAA established legal as a foundation of a comprehensive elder rights system. Since that time, Georgia has since reduced its focus on a comprehensive Elder Rights System as designed in those amendments and reallocated the focus but retained the expectation that legal would under gird all of the partner programs. A revival of the comprehensive elder rights system is essential to program coordination and collaboration.

### **Priority of Training and Education of Providers & Aging Network**

Providing for education and training of professionals, volunteers and older individuals concerning elder rights, the requirements and benefits of specific laws and methods for enhancing coordination of services is a staple of a fully integrated legal services delivery system. However, without federal, state and AAA support, this is not feasible for legal services.

### **Emphasis on Work/Life Balance of Providers**

One of the challenges for public interest legal workers is struggling to not fall prey to some of the very issues that they see burdening their clients: transportation problems, unpaid medical bills, inability to access adequate health care, tough decisions between which bills to pay and struggles with shelter/housing. Yet when compensation is so significantly disproportionate to the need this is not an impossible scenario. More needs to be done to ensure that programs are equipped to balance meeting the needs of clients with the needs of legal services staff.

### **Adequate Funding to Keep Up With Demand for Services**

The State LSD coordinates with other elder rights programs at the state level and directs that coordination of the ELAPs with their regional elder rights component partners such as Long-term care ombudsmen, Adult Protective Services, GeorgiaCares (the state's SHIP and SMP), elder abuse prevention and ADRC. Each program is provided the mechanism for ensuring that as necessary, client referrals can be made to the ELAP for the maximum benefit to the older person. When these programs receive additional funding to assist their growing clientele, ELAP only receives the uptake in the growing clientele but does not benefit from additional funding received by partner programs. Attention must be paid to ensure that the increasing demand for legal services does not overwhelm the capacity to provide those services.

### **Funding to Conduct Periodic Needs Assessments**

To stay on target, periodically it is necessary to assess the needs of not only the population served, but of those providing the service as well. Georgia has had an occasion to do both in the past few years. Repeat assessments are necessary to gauge benchmarks and monitor improvement or the need for improvement.

### **Other Personnel & Business Continuity**

Every program needs to have a plan of continuity to ensure that the work being done can continue without detrimental delays, should the assigned personnel become unable to carry out his/her duties. The Statewide Standards for ELAP require it for the providers however, no such plan exists for the state agency on aging..

### **Funding**

There is no established dedicated budget available to the developer to attend training, provide training for ELAP providers or to provide necessary resources. This makes it difficult to plan for enhancements of ELAP as every dollar is needed to just sustain existing services. In the meantime, programs lose staff whose positions they cannot refill due to budget constraints; the decision has to be made whether to pursue needed training or save that money to ensure the core services can be provided. This should not be the only alternative.

## **Conclusion**

There must be a commitment to do this work and do it well. Georgia is fortunate to have the Title IIIB legal assistance providers that it has. This does not mean that there is not room for improvement, there always is and we will continuously strive become better and to serve our citizens better. However, despite the issues with funding, training, personnel, and other resources, Georgia has a clear focus on the purpose of the Title III B legal assistance program of the Older Americans Act. That purpose is still being carried out. Thus, the vulnerable citizens of Georgia who are sixty years of age and older and in need of legal assistance remain in good hands with valuable legal resources.

**APPENDIX A**

**REQUEST FOR PROPOSAL (RFP)**  
*Sample Template for Consideration by  
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**3.5 Scope of Services for Elderly Legal Assistance Program****A. Purpose of Procurement** *(Adapt this information to Section 1.1 in RFP template)*

The Area Agency on Aging is requesting proposals from qualified offerors capable of providing *(AAA will list the specific Elderly Legal Assistance Program and any background concerning procurement here)*.

The successful offeror will provide: *(List here the specific items to be completed in order for an offeror to be successful for this specific service or group of services and include the basis for service delivery)*.

**B. Program Legislation, Regulation, Program Standards and/or Guidelines:**

- Administration on Aging web page for Older Americans Act, USCA § 3058(j); 42 CFR § 1321.51 (c) and §1321.71 (<http://www.aoa.gov/about/legbudg/oa/OAA-compilation-unofficial.pdf>)
- DHR/DAS Georgia Elderly Legal Assistance Program Standards and other rules, regulations, standards and transmittals promulgated by the State of Georgia and the Area Agency on Aging program directives.

**C. Capacity** - Outline offeror's background and capacity to provide this service effectively. Address sustainability and the qualifications of Offeror's organization and staff to provide services as proposed.

- Describe how the Offeror will interface with the Area Agency on Aging and/or Division of Aging Services to resolve issues effectively related to service delivery and clients.
- Discuss the qualifications and capability to provide effective services that will meet all program standards.
- Organizational chart *(provided in Section 3.1)* demonstrate effective lines of communication and program responsibility, and detail percent of staff time assigned to each service or program.
- State when (days and hours of operation) and where services will be provided, and if alternate delivery sites are used, identify each site and days and hours of operation.

**D. Information and Referral**

- Describe how Offeror will interface with the Area Agency on Aging (AAA) Gateway Information and Assistance and their management of the waiting list.

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**E. Special Initiatives or Collaborations:**

- Describe any special initiatives, innovations that will enhance Offeror's program in the community.
- Describe any new or on-going plans to obtain additional financial support or resources for this program.
- Describe any partnerships or collaborations with other community organizations or private businesses that will strengthen the services provided by Offeror.

**F. Outreach or Marketing Plan**

- Describe the program awareness activities or marketing plan for agency.
- Describe the methods Offeror will use to provide outreach to persons in the community as well as minorities, homebound or otherwise isolated individuals.
- Describe any special materials or techniques Offeror has developed to reach special populations.
- Describe any specific populations Offeror will target, if any.
- Describe methods to be used to provide services to Limited English Proficiency/Sensory Impaired (LEP/SI) clients.

**G. Professional Staff Development**

- Describe how Offeror will provide new staff orientation and training and provide an outline of the orientation schedule and topics.
- Describe Offeror's plan for conducting on-going staff training including topics and number of training sessions to be held.
- Describe method Offeror will use to determine the training needs of staff.
- Describe the agency's staff recruiting practices and retention strategies. Indicate the annual staff turnover rate from the most recent fiscal year.

**H. Client Confidentiality**

- Describe policy or procedures concerning client confidentiality

**I. Technology and Ability to Meet Reporting Requirements**

- Describe agency's capacity for and use of technology, both in agency administration and delivering services.
- Describe agency's strategic plan for maintaining adequate stock including hardware, software and voice/data services.
- Indicate capacity or plan to interface with the Division of Aging Services Aging Information Management System (AIMS) for reporting.
- Detail person(s) responsible for data validation, data entry and reporting.

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**J. Quality Assurance Program or Plan:**

- Describe how Offeror will insure the quality of the program or services to clients.
- Describe how Offeror will measure the effectiveness of your program.
- Describe how Offeror will determine if the program had an impact on the clients.
- Describe how Offeror will determine the client's satisfaction with services.

**K. ELDERLY LEGAL ASSISTANCE PROGRAM NARRATIVE**

**A. DESCRIPTION OF SERVICE DELIVERY MODEL**

1. What qualifies this provider to be the entity best able to provide legal assistance to the elderly in this planning and service area? Your response should be more specific than the history of your office, practice or organization. That response is requested in Question #2. Tailor your response so that it clearly indicates that your office, practice and/or staff have experience in the provision of legal assistance to older Georgians in a defined service area, like the planning and service area that would be served and the current capacity to provide that service.
2. DESCRIPTION OF PROVIDER – Identify specifically, what office, practice or organization. Give a brief narrative description of the legal assistance program (e.g., a legal service corporation grantee, non-profit agency or private lawyer). Discuss who among attorneys, paralegal, interns, clerical support, students, etc. will provide which services and whether these persons will be full time or part time. What will be the regular hours of operation?
3. CLIENT INTAKE METHODS - Briefly describe the client intake process at the legal service office and at intake/outreach sites. Address whether standardized intake forms will be used and if the intake process is done on a "face to face" basis. Please describe how and who conducts the intake interview. Include in the description, the hours of intake and how potential clients are made aware of these specialized hours, if they differ from regular office hours. How will potential clients be notified of the availability of legal assistance? This description should detail the notification process that is to be used for each of the target populations. What is the specific plan for reaching the potentially eligible homebound?
4. COORDINATION & COUNTY COVERAGE - If you are not a Legal Services Corporation (LSC) grantee, describe how you will coordinate your efforts with the program in your area should you operate this Elderly Legal Assistance Program (ELAP). Regardless of whether you are a LSC grantee, discuss your coordination procedures with other ELAP providers if your client should have a



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legal problem outside of your planning and service area. How often does the provider conduct intake in each county of the planning and service area? Are there any counties in which legal assistance (intake or community education) is not provided? If so, how are seniors afforded an opportunity to access legal assistance? Describe any factors, which limit the ability of this provider to fully serve clients in every county, such as geographic location, subject matter of certain priorities or lack of access to an attorney.

5. **METHOD OF CASE ACCEPTANCE** - Describe the method by which the ELAP decides which cases to accept and which to reject. If a case acceptance meeting method is used, describe how often the meetings are held, with whom, and who makes the ultimate decision as to whether a case should be handled. Discuss how the case acceptance for Older Americans Act Title IIIB cases is or would be different or similar to case acceptance for cases normally addressed by your office, organization or practice.
6. **METHOD OF ATTORNEY SUPERVISION** - Describe whether supervising attorneys for paralegals and staff attorneys are available on a regular or as-needed basis. Discuss whether contact between the supervising attorney and supervisees is made in person or by phone; whether and how often the supervising attorney is present during the client intake process; and, whether the supervising attorney reviews all advice given to a client or just the advice about which the provider thinks supervising attorney review is necessary. Discuss the situations that are normally subject to supervisory review and any specific time parameters. (i.e. all actions by a staff attorney during his/her first 3, 6, 9 (?) months of employment) Please provide the name and business address of the attorney who is responsible for supervision.
- 6.a **ATTORNEYS NOT LICENSED IN GEORGIA** - If the direct providers of legal assistance are attorneys but are not licensed to practice in Georgia, discuss the method by which they are supervised by a Georgia licensed attorney. Discuss how clients with problems requiring the expertise of an attorney are handled in these specific situations.
7. **ATTORNEY AND NON-ATTORNEY SERVICE DELIVERY** –Discuss the timeframes for the client actually having access to the attorney and what types of information, legal assistance or other matters are provided by the non-attorney. In what instances or under what circumstances does the non-attorney provide legal assistance to clients without first discussing the issue with the supervising attorney?

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8. **METHOD OF CASE REFERRAL** - Discuss how clients are referred to pro bono or reduced fee assistance programs. Does ELAP staff conduct follow-up for quality assurance purposes? If so, detail the follow-up process utilized.
  9. **METHOD FOR IDENTIFYING AND RESOLVING CONFLICTS OF INTEREST**  
Describe each system and/or safeguard in place to identify and resolve conflicts of interest (e.g., adverse party files, review of outside employment by ELAP staff, possibility of opposing counsel in the same office, etc.)
  10. **DESCRIPTION OF QUALITY ASSURANCE SYSTEMS** - Describe any office or organizational quality control systems in place or under development. This discussion may include details of case reviews, case limitations, internal monitoring, programmatic and/or fiscal audits or other systems in place to ensure quality services are being provided.
- B. CASE PRIORITIES**
1. **METHOD OF SERVING CLIENTS IN THE TARGET POPULATIONS: GREATEST SOCIAL OR ECONOMIC NEED, RURAL AND LOW INCOME MINORITIES, LIMITED ENGLISH PROFICIENCY** - Describe systems for meeting needs of clients in the target population. Include in the discussion, in what way(s) your office, practice or organization would factor in the fact that a potential client has neither a social or economic need when considering whether or not to provide services to them.
  2. **RANKING OF CASE PRIORITIES** - Describe any particular system of ranking that you may have prescribed or plan to prescribe to the mandated priorities. If you have no such system, indicate whether or not you have elected to handle all cases on a first come, first served basis. Discuss any systems of preferences utilized and their correlation to and potential affect upon the types of cases accepted or potential clients. What changes have you implemented, if any, to balance the requests for the preparation of Last Will and Testaments with the restrictions on the number of Last Will and Testaments that may be prepared in a fiscal year?
  3. **PROCEDURE FOR TREATMENT OF POTENTIAL CLIENTS WHOSE CASES FALL OUTSIDE OF CASE PRIORITIES LISTING** - Describe how potential clients are to be handled if their case falls outside of priority listing or cannot be handled by the program. Include in this discussion, how individuals are or will be informed of this determination and what if any advice or assistance is or will be provided.



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4. **INABILITY TO HANDLE CERTAIN CASE PRIORITIES** - Discuss your office, program, organization or practice's inability to handle certain case priorities and/or inability to handle certain case priorities in the manner prescribed by the program, including but not limited to defense of guardianship, assistance to grandparents raising grandchildren, Miller's Trusts, nursing home discharge, etc. Indicate upon what your inability is based (i.e. inexperience, lack of staff, disagreement that the case type should be handled by ELAP, conflict with other funding sources, etc.). Discuss what provisions you will implement or have in place that will assure potential clients still have access to legal assistance.
5. **OUTREACH** – a) Describe the capacity and method for effective outreach and assistance to institutionalized, isolated and homebound individuals. (Incumbent Providers Only) b) Discuss previously used methods of outreach and substantiate an assessment of their utility, benefit and an indication of whether any of the methods used are recommended for replication by other providers in other planning and service areas. c) Discuss any coalitions, teams, task forces, community groups or other entities with whom the provider has partnered and relate any beneficial experiences realized. d) Discuss in detail any method of outreach that the provider would like to utilize but is unable to for some reason.

**C. DESCRIPTION OF TRAINING REQUESTED BY THE LEGAL ASSISTANCE PROVIDER**

1. (For Incumbent Providers Only) Indicate the last year that the provider's staff attended a training/conference provided by the Division of Aging Services for ELAP.
2. **TRAINING** - Briefly describe any anticipated legal training needs of the ELAP provider for the coming year. Discuss in what particular substantive or skill areas training is needed or desired and how it not having that training is currently impacting staff in their ability to provide quality legal services to clients.

**D. DESCRIPTION OF COORDINATION WITH OTHER ELDER RIGHTS SYSTEM PROGRAMS**

1. **LTCO** - Briefly describe the capacity and method for providing legal backup to the Long Term Care Ombudsman program in your planning and service area. Include in the description whether or not there are regular meetings with LTCO; a set referral process; a process for apprising LTCO whether or not a referral has been accepted, denied and/or acted upon; a time frame for acting upon a referral from LTCO; opportunities for joint training or projects with LTCO; or whether a legal worker within your program has been appointed with whom LTCO can always reach and discuss a case.

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2. GeorgiaCares - Briefly describe the capacity and method for providing legal support to the GeorgiaCares program in your planning and service area. Describe the process by which GeorgiaCares volunteers can make referrals. Describe any plans for ongoing interaction with the GeorgiaCares program in your area.
3. Elder Abuse Prevention – If you are not the elder abuse prevention provider, discuss how backup and support will be provided to the elder abuse prevention provider. If you are the elder abuse prevention provider, indicate how you will ensure that there will be no supplanting or duplicating of services.
4. Adult Protective Services – Discuss your plan to coordinate with Adult Protective Services (APS). Include any initiatives planned to increase awareness and understanding between the two programs with a specific focus on the legal needs of “wards” of APS.

**E. DESCRIPTION OF NON-ENGLISH SPEAKING ELDERLY**

1. ASSISTANCE TO NON-ENGLISH SPEAKING - Describe capacity and method for providing legal assistance for clients in your service area who do not speak English as their principal language. Add in this description, the manner in which the public is made aware of this assistance.

**F. FEE GENERATING CASE**

1. EMERGENCY SITUATION - Describe the method for identifying whether adequate representation is unavailable or an emergency situation exists which requires immediate action in a fee generating case as defined by 45 CFR Section 1321.71 (g) (1). Describe screening and intake processes with regard to this requirement.
2. REFERRAL - Describe how referrals for fee generating cases are made. List types and numbers of referral attorneys provided to clients. On what basis are the referrals selected to provide to persons presenting fee-generating cases? Are those persons to whom referrals are given invited or instructed to return to the provider if their case is rejected by all of the referrals?

**G. COMPLIANCE WITH STANDARDS**

1. Discuss any inability to comply with the Georgia Elderly Legal Assistance Program Standards. Cite the section and paragraph or specific requirement that cannot or will not be met. Discuss how this has been brought to the attention of the State Legal Services Developer and/or the Area Agency on Aging.

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2. Discuss any inability to meet or comply with the reporting requirements of the Georgia Elderly Legal Assistance Program. Identify who is responsible for completing the Quarterly Narrative Report, entering data in AIMS and ensuring the accuracy of the data reported.
3. Discuss any subcontractor agreements in place for another entity to provide services to any counties or areas within the planning and service area that you are serving. If you believe that you would only be able to serve a planning and service area with the assistance of another entity, detail that need. If arrangements have been made with another office, individual, program or entity to assist with providing legal services under the ELAP contract, detail those arrangements and explain why they should not be reflected in a subcontractor agreement as required by the Georgia ELAP Standards.

**H. STAFFING PATTERN**

1. Include a staffing pattern for the proposed Elderly Legal Assistance Program. Complete a table that includes names, titles, and percentages of time devoted to the program. Detail the roles and responsibilities of each staff member. This should include assignments to certain counties, case types or subject matter.

**I. SAVINGS AND BENEFITS HISTORY**

1. (For Incumbent Providers Only) What is the dollar amount of previous fiscal years savings and benefits to clients served by case representation? Include worksheet indicating how this figure was derived for specific case type categories.

**J. FUNDING**

1. (For Incumbent Providers Only) Has there been an increase or decrease in funding received to provide services in the past fiscal year? Provide details on this funding change and how it affected program.
2. Based upon your plan to provide services, how much of the services will the current level of funding actually provide?
3. How much additional funding would be required to increase services in all areas (legal information, community education and case representation) by 20%?

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**K. CLIENT SATISFACTION**

1. What method is used or do you plan to use to measure client satisfaction and what elements of legal services do you expect to measure?

**L. UNMET NEED**

1. To what extent does the provider have the capacity to track the numbers of persons who must be denied services because of the ELAP provider's inability to meet their needs?



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**Performance Goals, Objectives, and Performance Measures**

(Chart with generic definitions and examples for service goals and objectives)

SFY:	Enter the specific State Fiscal Year(s) that goal will be applicable. <i>(Example: SFY 2010 for Legal Services for older Georgians)</i>
Service or Program Name:	Enter the name of the program or Service <i>(Example: Elderly Legal Assistance Program with an emphasis on awareness.)</i>
Priority:	Identify the AoA, DAS or AAA Priority this will address <i>(Example: AoA Priority: Legal Assistance is one of the three priorities of the Older Americans Act. It is important that all eligible citizens in the Planning and Service Area (PSA) are aware that the program exists.)</i>
Goal:	A long term result that is broad in focus. The goal describes, in general terms, the desired outcomes or purposes that will be accomplished as a result of meeting the objectives. <i>(Example: Increase access to ELAP by potentially eligible persons at risk of losing their home)</i>
Objectives	The result to be accomplished, and when completed, will move the organization toward their goal and projected date of completion. <i>(Example: Engage in and outreach and targeted screening to inform potential clients of legal options and services available from ELAP.)</i>
Action Steps/Time Line:	State tasks or actions that must be completed, who is responsible, and projected date of completion. <i>(Example: Review recent foreclosure records, public foreclosure notices and Chapter 13 bankruptcy filings in each county of the PSA to determine where there are increases [Indicate a time period over which this should occur and the staff responsible for completion]. Develop appropriate educational materials and create opportunities to share this information in those counties in particular. [Indicate a time period over which this should occur and the staff responsible for completion.]</i>
Performance Measure:	Describe how the result will be measured. <i>(Example: Tracking the number of specialized community education sessions devoted to this subject matter and the number of cases in which ELAP is involved in protecting a home at risk of foreclosure).</i> Enter the mechanism by which the data will be collected to report the performance measure for each objective. <i>(Example: ELAP Community Education Logs and AIMS Activity Logs reflecting these specific case areas/)</i>
Outcomes:	Enter the numeric target amount that will be achieved for each performance measure. <i>(Example: 30% of education sessions in the affected counties will be devoted to topics dealing with protecting homes at risk of foreclosure; the numbers of cases dealing with the protection of homes at risk of foreclosure will increase by 20% of the entire caseload for the fiscal year..)</i>

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***(BLANK FORM TO BE COMPLETED FOR EACH SERVICE GOAL)***

SFY:	
Service or Program Name:	
Priority:	
Goal:	
Objectives:	
Action Steps/Time Line:	
Performance Measure:	
Outcomes:	

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**Suggestions for Administrative Review:**

<b>Administrative Review</b> – <i>(No points assigned for this section. Either yes or no, and if not available, then Technical Proposal or Budget Proposal will not be reviewed. AAA to add any other administrative review requirements as needed in Request for Proposal and include them here.)</i>	
<b>2.0 Mandatory Requirements Satisfied</b>	
▪ Offeror meets all of the stated Qualification Requirements	<b>Yes or No</b>
▪ Offeror meets all stated Business Requirements	<b>Yes or No</b>
▪ Offeror submitted all stated Submission Requirements	<b>Yes or No</b>
▪ Offeror meets budget requirements	<b>Yes or No</b>
<b>4.0 Budget Proposal</b>	
▪ Budget Narrative Submitted	<b>Yes or No</b>
▪ Revenue Plan and Units/Persons for:	
▪ Individual Services	<b>Yes or No</b>
▪ Staff Activity Logs	<b>Yes or No</b>
▪ Uniform Cost Methodology Spreadsheet Completed	<b>Yes or No</b>
<b>5.0 Proposal Submission</b>	
▪ Proposals Packaged and Delivered according to Requirements	<b>Yes or No</b>
▪ Correct # of Proposals Submitted	<b>Yes or No</b>
▪ Proposals Submitted in a timely matter	<b>Yes or No</b>
<b>6.0 Assurances</b>	
▪ Letter of Transmittal with assurances provided and signed	<b>Yes or No</b>
<b>9.0 Appendix</b>	
▪ All signed required are signed and included in Appendix 9.3; 9.4; 9.5	<b>Yes or No</b>

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**Suggestions for Technical Proposal Evaluation Criteria:**

Section 3.0 Technical Proposal (Recommend a scale of 1000 and identify the maximum number for each item)	Maximum # of Points
<ul style="list-style-type: none"> <li>▪ 3.1 Offeror described Company Structure including:                             <ul style="list-style-type: none"> <li>▪ Submitted Organizational Chart</li> <li>▪ Identified Business Organization</li> <li>▪ Submitted Board of Directors and/or Advisory Board</li> </ul> </li> </ul>	
<ul style="list-style-type: none"> <li>▪ 3.2 Offeror meets all preferred Experience requirements</li> </ul>	
<ul style="list-style-type: none"> <li>▪ 3.3 Offeror has demonstrated Financial Stability and positive Cash Flow</li> </ul>	
<ul style="list-style-type: none"> <li>▪ 3.4 Offeror has adequately explained any Business Litigation over the past five years</li> </ul>	
<ul style="list-style-type: none"> <li>▪ 3.5 Scope of Program and Services</li> </ul>	
Capacity	
<ul style="list-style-type: none"> <li>▪ Offeror has demonstrated ability to provide quality services</li> </ul>	
<ul style="list-style-type: none"> <li>▪ Offeror has sufficient qualified staff and supervision as demonstrated on the organizational chart to provide the service</li> </ul>	
<ul style="list-style-type: none"> <li>▪ Offeror has a staff plan and assigned staff time to each program appropriately</li> </ul>	
<ul style="list-style-type: none"> <li>▪ Offeror's days and hours of operation are sufficient to deliver services effectively</li> </ul>	
Plan of Service	
<ul style="list-style-type: none"> <li>▪ Offeror's Plan for delivery of services indicates the ability to provide all required services effectively</li> </ul>	
<ul style="list-style-type: none"> <li>▪ Information and Referral</li> <li>▪ Special Initiatives and Collaborations</li> <li>▪ Outreach or Marketing Plan</li> <li>▪ Professional Staff Development</li> <li>▪ Client Confidentiality</li> <li>▪ Technology and Ability to Meet Reporting Requirements</li> <li>▪ Quality Assurance Program</li> </ul>	
<ul style="list-style-type: none"> <li>▪ ELAP Narrative</li> </ul>	
<ul style="list-style-type: none"> <li>▪ Description of Service Delivery Model</li> <li>▪ Case Priorities</li> <li>▪ Description of Training Requested by the Legal Assistance Provider</li> <li>▪ Description of Coordination</li> <li>▪ Description of Non-English Speaking</li> <li>▪ Fee Generating Cases</li> <li>▪ Compliance with Standards</li> <li>▪ Staffing Patterns</li> <li>▪ Savings and Benefits History</li> <li>▪ Funding</li> <li>▪ Client Satisfaction</li> <li>▪ Unmet Need</li> </ul>	
Performance Goals, Objectives, and Performance Measures	
<ul style="list-style-type: none"> <li>▪ Offeror linked to appropriate AoA or DAS or AAA Priority</li> <li>▪ Offeror stated the a broad focus for a program goal</li> <li>▪ Offeror proposed appropriate objectives to be accomplished, and when completed, will move the agency toward the goal and date of completion</li> <li>▪ Offeror clearly defines the action steps, who is responsible and when they will be completed</li> <li>▪ Offeror clearly stated how the result will be measured and the mechanism to collect this data</li> <li>▪ The offeror provided a numeric target amount that will be achieved for each performance measure</li> </ul>	
<b>TOTAL SCORE</b>	