LEGAL SERVICES AND ADVOCACY

A number of organizations and agencies have programs that assist senior citizens with legal questions pertaining to wills and estate matters, advance directives, Public Aid eligibility, Social Security benefits, guardianship and advocacy, human rights and consumer protection. The information on the following pages is a guide to those resources and organizations.

DuPage County Senior Services cannot give legal advice, but is able to direct seniors to helpful resources. If you have any questions or need additional information, please call our office, **(630) 407-6500** or **1-800-942-9412**.

MAKING YOUR WISHES KNOWN: AN EXPLANATION OF TERMS

Wills: Allow an individual to direct the dispersal of his or her estate upon death. If you do not have a will, the government follows statute as to how to distribute the estate.

Living Trusts: A form of estate planning that allows individuals control of their assets during their lifetime and directs what happens to their assets after their death. The document is created and operated by an individual during his or her lifetime. This individual can choose to be the initial trustee and remain in control as long as he or she wishes - or until death, when the person named as successor trustee takes over. The living trust is often used to avoid probate, save on estate and inheritance taxes, provide for property management in the event of disability, and keep estate information private. A living trust can be revocable (amended or canceled) or irrevocable (cannot be amended or canceled). Fees for preparing living trusts are usually considerably more than the cost of a will. Consult an attorney well trained in estate planning to help determine the legal documents that will best suit your needs.

Wills and trusts should be reviewed periodically to reflect changes, i.e., divorce, marriage, increase or decrease in assets, or change of beneficiaries.

Durable Power of Attorney for Property: A written document that allows an individual to designate another person to manage finances and/or property. For example, authorize real estate and stock transactions; handle banking, tax or other

types of business matters; represent in court; or address other types of legal claims. An attorney should be consulted to prepare a Power of Attorney for Property. The Power of Attorney's authority does not supercede or diminish the individuals' authority.

Advance Directives: Allow an individual to decide what type of medical care and procedures are acceptable if he/she becomes incapacitated. Legal tools used for this purpose are a Durable Power of Attorney for Health Care, and a Living Will. In the absence of advance directives, someone else will be appointed to make health care decisions on your behalf, generally the closest family relative.

- **Durable Power of Attorney for Health Care:** Designates another person to make health care decisions on your behalf in the event of a physical or mental disability. May be used instead of, or together with, a Living Will.

- **Living Will:** This form expresses an individual's wishes about having death-delaying procedures withheld or withdrawn due to a terminal illness or an incurable disease or injury. The person appointed should be someone who fully understands your intent.

The law does not require the use of an attorney to draft these documents. However, for proper guidance and to protect your own interests, consultation with an attorney is recommended. The above forms are available free of charge from **DuPage County Senior Services, (630) 407-6500** or **1-800-942-9412**.

GUARDIANSHIP

Adult guardianship is a judicial process whereby a court determines that an individual lacks the capacity to make or communicate decisions and gives that authority to another individual or agency. A petition is filed with the court, generally by an attorney, along with a physician report stating the reasons why guardianship is needed. The court appoints a Guardian ad Litem who visits the alleged disabled person, explains their rights to them and reports to the court whether guardianship is recommended. There are three types of guardianship. Guardian of the person makes decisions of a personal nature, i.e.: housing, medical treatment, etc. A guardian of the estate will make financial decisions. Guardianship for both person and estate is the third option. All guardianships are further defined as either plenary, meaning able to make any decision or limited, being restricted to a certain type of activity or decision.

Any adult age 18 or older that is of sound mind, has not been convicted of a serious crime and proves to be acceptable to the court can serve as guardian. An agency or institution not providing residential care to the individual or having any other vested interest could also serve as guardian. Where no appropriate guardian, personally known to the individual, can be identified, the Office of State Guardian or the Office of Public Guardian may be appointed.

Illinois Guardianship and Advocacy Commission Regional Office
(Services DuPage County)
9511 Harrison Street, Room W-300, Des Plaines, IL 60016
(847) 294-4264
(847) 294-4264 (Regional Office)
1-866-274-8023 (Statewide Central Intake)
www.gac.state.il.us

Protects and enforces the rights of aged, disabled, and mentally ill persons through:

- **Office of State Guardian** - appointed as the "guardian of last resort" for persons with disabilities, this office represents those individuals who have less than $25,000 in assets. They must be contacted prior to petitioning the court to make sure they will be guardian for the individual. Office of State Guardian does not petition but may provide guidance and assistance to those persons petitioning for guardianship without legal representation.
- **Human Rights Authority** - investigates complaints of alleged violations of rights of persons with disabilities by service providers;
- **Legal Advocacy Service** – Attorney's provide needed assistance to persons with disabilities in a variety of settings including long term care. Issues addressed include, but are not limited to, admission and discharge from a hospital, adequate treatment, refusal of unwanted services, and confidentiality of mental health records.

Office of the Public Guardian
Donald E. Puchalski
Jennifer B. Martyn
600 S. County Farm Road, Suite 200, Wheaton, Illinois 60187
(630) 933-9350
PublicGuardian@pkmlaw.net

Serves as guardian for individuals with an estate of $25,000, or more. They are paid from the estate of the person for whom they are guardian as directed by the court. Statute defines the responsibilities of this office and includes preparing inventories of property, monthly contact, receiving periodic reports from caregivers, etc.

LEGAL SERVICES

Administer Justice
Located at: Wheaton Bible Church
27W500 North Avenue, West Chicago, IL 60195
1-877-778-6006 (Toll-Free)
8:30 a.m. – noon every 2nd and 4th Saturday of the month (by appointment only)
www.administerjustice.org

Administer Justice is a Free Law Clinic that offers low income residents legal assistance, financial counseling, educational outreach, and conflict resolution services provided by volunteer attorneys and other professionals. There is a one-time administrative fee of $20.00.

Catholic Charities Legal Assistance (CCLA)
651 W. Lake Street, Chicago, IL 60661
(312) 948-6821 (Intake)
www.catholiccharities.net/ccla

Provides free legal services to eligible clients living on a low income. Services include legal advice, brief services, direct representation or referrals to either pro bono network of attorneys or other legal service providers depending on needs. Calls are taken 9:00 a.m. to 4:00 p.m. Monday – Friday. An initial client intake is followed by a consultations performed by a staff or volunteer attorney.

DuPage Bar Legal Aid Service
126 S. County Farm Road, Wheaton, IL 60187
(630) 653-6212
www.dcba.org

Provides free legal assistance for qualified persons to help in the areas of family law, domestic violence, bankruptcy, adoption, guardianship, tort and collection defense, and other areas. Those who qualify must have a case in or be a resident of DuPage County and be financially qualified as an indigent person. Applicants are screened from 9:00 A.M. - 2:00 P.M., Monday through Friday, by telephone only.

DuPage County Bar Association
Lawyer Referral Service
126 S. County Farm Road, Wheaton, IL 60187
(630) 653-9109
www.dcba.org (under "find a lawyer")

Offers assistance to individuals in locating an attorney in their community. The attorneys participating in this service provide a free consultation for up to 30 minutes. For additional services, the fee will be negotiated between the client and the attorney. Referrals to Elder Law Attorneys are available through this service.

DuPage County Community Services
Senior Services
421 N. County Farm Road, Wheaton, IL 60187
(630) 407-6500
1-800-942-9412

Financial assistance is available on a limited basis for caregivers and grandparents raising grandchildren who are dealing with legal issues associated with their caregiving roles. The funding is provided through the Older American's Act, Caregiver Assistance Program. It is designed to help caregivers with legal issues including assisting in resolving civil legal matters, protecting a caregiver's legal rights and/or the rights of a relative raising a child, or providing legal advice or education to caregivers.

DuPage County State's Attorney
503 N. County Farm Road, Wheaton Illinois 60187
(630) 407-8000
(630) 407-8003 (TDD)

DuPage County State's Attorney prosecutes crimes committed in DuPage County. The Senior Division of DuPage County Community Services, the Township Supervisors, Mayors and Managers are united in their efforts to work with State's Attorney's Office on behalf of seniors and persons with disabilities.

The Investigator and Assistant State's Attorney assigned to these cases have received special training in the laws which protect seniors and persons with disabilities. They work in tandem with the County Senior Services representatives and members of partner agencies who are prepared to address special needs throughout the legal process.

Pension Rights Center
1350 Connecticut Avenue NW, Suite 206, Washington, DC 20036
(202) 296-3776
www.pensionrights.org

Protects the pension interests of workers and retirees, targeting inequities in pension policies and recommending workable reform measures. Offers assistance nationwide to workers, retirees and their families by providing them with pension information.

Prairie State Legal Services, Inc.
400 W. Roosevelt Road, Wheaton, IL 60187
1-888-965-7757 Monday – Thursday 9:00 a.m. – 2:00 p.m.
(630) 690-2308 (TDD)
www.pslegal.org

Free civil legal services for low-income persons (follows federal poverty level guidelines) and senior citizens, age 60 and older, regardless of income. Specialty areas include government benefits (including Medicare and Medicaid), landlord tenant disputes, homeless issues, consumer issues, advance directives, and nursing facility law. Staff attorneys do not handle criminal or fee producing cases.

HUMAN RIGHTS

DuPage Center for Independent Living
739 Roosevelt Road, Bldg. 8, Suite 109, Glen Ellyn, IL 60137
(630) 469-2300 (Voice/TDD)
www.dupagecil.org

Provides advocacy and services to persons with disabilities in DuPage County. Services include information and referral, peer counseling, independent life skills training, deaf and visual impairment services and more. There is no fee for services.

Equal Employment Opportunity Commission (EEOC)
500 W. Madison Street, Suite 2800, Chicago, IL 60661
(312) 869-8001 (TDD)
1-800-669-4000
www.eeoc.gov

Responsible for receiving charges of all forms of discrimination, including age. The older worker who has been discriminated against should file a charge with the EEOC for two reasons: (1) it makes the EEOC aware of possible discriminatory practices and allows them to investigate and attempt to informally resolve the charge; and (2) it preserves your right to file a lawsuit.

Equip for Equality
20 N. Michigan Avenue, Suite 300, Chicago, IL 60602
(312) 341-0022

Dedicated to advancing the rights of all children and adults with mental and physical disabilities. See page 103 for more details.

Hope Fair Housing Center
2100 Manchester Road, Building C – Suite 1620, Wheaton, IL 60187
(630) 690-6500 Ext. 119
(630) 690-6553 (TDD)
(630) 690-6586 (FAX)
www.hopefhc.com

Dedicated to promoting equal housing, lending and insurance opportunities for people of all economic levels. HOPE seeks to ensure that all people may freely choose a place to live without regard to race, color, religion, sex, age, national origin, sexual orientation, or because they are disabled or have children in their family. Offers investigative services and legal referrals. No fees.

Illinois Department of Human Rights
100 W. Randolph Street, Suite 10-100, Chicago, IL 60601
(312) 814-6200
1-866-740-3953 (TDD)
1-800-662-3942
www.state.il.us/dhr

Investigates charges of unlawful discrimination in employment, housing, financial credit and public accommodations on the basis of age (40 and over), ancestry, arrest record (in employment), citizen status, color, marital status, national origin, physical or mental handicap, race, religion, military status or unfavorable military discharge. Charges must be filed within 180 days of the date you believe the discrimination took place.

CREDIT COUNSELING

National Foundation for Credit Counseling (NFCC)
2000 M Street, NW Suite 505, Washington, DC 20036
(202) 677-4300
1-800-388-2227
www.nfcc.org

Provides referrals to local area NFCC member agencies for comprehensive money management services including budget counseling and education, debt management plans, financial literacy courses, counseling referrals and housing counseling. Services are provided in-person or by phone.

CONSUMER PROTECTION

Better Business Bureau of Chicago and Northern Illinois, Inc.

State Office
330 N. Wabash Avenue, Suite 2006
Chicago, IL 60611
(312) 832-0500
www.chicago.bbb.org

Regional Office
401 W. State Street, Suite 500
Rockford, IL 61101
(815) 963-2222

This non-profit organization promotes an ethical marketplace by helping to resolve buyer/seller complaints by means of conciliation, mediation and arbitration. Also reviews advertising claims, online business practices and charitable organizations. There are no fees.

Citizens Utility Board (CUB)
309 W. Washington, Suite 800
Chicago, IL 60606
1-800-669-5556
www.citizensutilityboard.org/savingmoney

A non-profit Illinois consumer group created by the Illinois General Assembly, focused on cutting utility bills. Provides tips on how to cut phone and electric/gas bills. Learn your choices for natural gas and electric companies. See discounts, rebates, and tax credits available to make your home more energy efficient. Will answer questions about your utility bills.

Illinois Office of the Attorney General

Chicago Office

100 W. Randolph Street
Chicago, IL 60601
1-800-243-5377 (Senior Hotline)
1-800-964-3013 (TTY)
1-800-228-3368 (Victim Assist)

Springfield Office

500 S. Second Street
Springfield, IL 62706
1-800-243-0618
1-877-844-5461 (TTY)
1-866-999-5630 (Identity Theft Hotline)
1-877-305-5145 (Health Care Bureau for complaints regarding health insurance, or healthcare providers)
www.illinoisattorneygeneral.gov

Protects Illinois seniors victimized by fraud or deception through its consumer fraud bureau; provides advocacy, information and referral through its senior hotline; offers crime prevention initiatives and provides assistance to crime victims; funds training and education programs through community-based organizations. Crime Victim Services are available to assist crime victims and witnesses and may offer financial assistance for expenses related to the crime.

Illinois Commerce Commission
Consumer Services Division
527 E. Capitol Avenue, Springfield, IL 62701
(217) 782-2024
1-800-524-0795
1-800-858-9277 (TDD)

Serves Illinois citizens by assisting consumers in resolving complaints and answering consumer questions about regulated utilities.

Illinois Department of Financial & Professional Regulation (DPR)

100 W. Randolph
Chicago, IL 60601
(312) 814-4500
1-888-473-4858 (toll-free)

320 W. Washington
Springfield, IL 62786
(217) 785-0800
www.idfpr.com

Protects Illinois residents in their dealings with the industries and professionals that it regulates and licenses; banking, financial institutions, insurance and professionals such as physicians, dentists, nurses, realtors, pharmacists etc. Complaints against an individual or entity regulated by DPR can be filed by contacting the Complaint Intake Unit or online through their web site.

National Do Not Call Registry
1-888-382-1222
www.donotcall.gov

Allows you to block telemarketing calls. Most telemarketers should not call your home once it has been on the registry for 31 days. Register home or mobile phone for free. The Registry is managed by the Federal Trade Commission (FTC), the nation's consumer protection agency and is enforced by the FTC, the Federal Communications Commission (FCC), and state law enforcement officials. Call or log on to the information provided above.

TRIAD / S.A.L.T.

TRIADS are a coordination of police, senior advocates, and senior citizens working together to reduce criminal victimization and enhance law enforcement services to older persons. Some of TRIAD's goals are to develop and implement effective crime prevention programs; expand awareness of resources; present educational seminars and implement means of making the community a safer place for senior citizens. A key element in the success of TRIADS is the advisory council, S.A.L.T. (Seniors and Lawmen Together), which is comprised of older members of the community, representatives from agencies who work with the elderly and law enforcement personnel.

Addison S.A.L.T.
Addison Police Department
(630) 543-3080

S.A.L.T. TRIAD of Darien
1710 Plainfield Road
(630) 971-3999

Downers Grove Township
S.A.L.T. Council
(630) 968-5029

Elmhurst S.A.L.T.
City of Elmhurst Police Department
(630) 530-3050

The TRIAD of Naperville and Lisle Townships (serving Aurora, Lisle, Naperville, Warrenville and Woodridge)
(630) 968-2087 – Lisle
(630) 355-2786 – Naperville

Milton Township S.A.L.T. Council
(630) 668-1616

Wood Dale S.A.L.T.
Wood Dale Police Department
(630) 766-2060

ADDITIONAL RESOURCES

American Association of Retired Persons (AARP)
1-866-448-3613 (Chicago Office)
www.aarp.org

AARP is a non-profit membership organization for persons age 50 and older. Call the above number for local chapter information. Enrollment in AARP does involve a small membership fee. Benefits include:

- Representation in Washington. AARP is your advocate for fairness in employment and retirement benefits.
- Award winning publications. You'll get AARP magazine, plus timely AARP bulletins.
- Savings on prescriptions with the pharmacy service.
- Opportunities for quality health home and auto insurance.
- Investment program offering no-load funds designed for your needs.
- Stimulating volunteer opportunities.
- A low-fee, low interest Visa card. All AARP members are eligible to apply.

- Protection on the road. Low-cost motoring plan with emergency road service and personalized trip routing.
- Special discounts on hotels, motels and car rentals nationwide.

OLDER WOMEN'S LEAGUE (OWL) Illinois
28 E. Jackson, Suite 1900, Chicago, IL 60604
(312) 957-0011
www.owl-national.org

The Older Women's League works on a national, state and local level to effect change, to improve the status and quality of life for mid-life and older women. As an advocacy organization seeking social change, OWL's current agenda includes:

1. Health issues
2. Economic security
3. Full access to appropriate housing and housing alternatives
4. Ending violence against women and the elderly
5. Staying in control throughout life
6. Combating discrimination in the workplace

OWL accomplishes its mission through research, education and advocacy. Call for the chapter nearest you.