

LEGAL SERVICES AND ADVOCACY

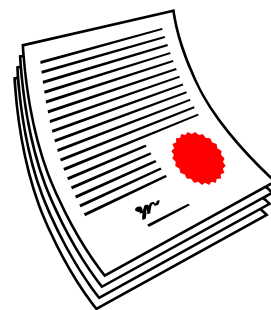
A number of organizations and agencies have programs that assist senior citizens with legal questions pertaining to wills and estate matters, advance directives, Public Aid eligibility, Social Security benefits, guardianship and advocacy, human rights and consumer protection. The information on the following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

DuPage County Senior Citizen 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 Citizen 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

(708) 338-7500 (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

111 E. Jefferson Avenue, Naperville, IL 60540

(630) 355-1700

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. Statute defines the responsibilities of this office and includes preparing inventories of property, monthly contact, receiving periodic reports from caregivers, etc.

LEGAL SERVICES

The Chicago Bar Association

321 S. Plymouth Court, Chicago, IL 60604

(312) 554-2001 (Lawyer Referral Service)

(312) 554-2001 (Call-A-Lawyer)

(312) 554-2055 (TDD)

www.chicagobar.org



- ◆ Lawyer Referral Service - Offers assistance in locating an attorney, throughout Chicago and the suburbs. Fees are based on the nature and extent of the legal matter. A \$20.00 initial consultation fee helps support the Lawyer Referral Service. Referrals are provided by telephone and web site.
- ◆ Call-A-Lawyer Program - Free phone consultation with volunteer attorneys 9:00 A.M. - 12:00 noon, usually the third Saturday of each month (no holidays).
- ◆ Senior Citizen Will Program – Visits various senior centers throughout Chicago and the suburbs to assist low-income seniors with simple wills. Costs range from \$50 - \$125. Also provides information and forms for Durable Powers of Attorney. Call (312) 746-5300, or visit their website at **www.chicagobar.org** for locations and dates.

DuPage Bar Legal Aid Service

126 S. County Farm Road, Wheaton, IL 60187

(630) 653-6212

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 Human Services

Senior Citizen Services

421 N. County Farm Road, Wheaton, IL 60187

(630) 407-6500

1-800-942-9412

- ◆ Provides names of attorneys who will prepare simple wills at reduced rates. Home visits possible.
- ◆ Administers Title II-E Gap Filing legal services to assist caregivers needing assistance with guardianship, powers of attorney, custody in the cases of grandparents raising grandchildren, and other legal activities.

DuPage County State's Attorney

503 N. County Farm Road, Wheaton Illinois 60187

(630) 407-8000

(630) 407-8003 (TDD)

Special Victims Unit (630) 407-8038



The DuPage County State's Attorney prosecutes crimes committed in DuPage County. The Special Victims Unit (SVU) of this office is comprised of attorneys whose primary duties are to assist in the investigation and prosecution of cases involving crimes against seniors and persons with disabilities, as well as child abuse and neglect. The unit is also responsible for the Mental Illness Court Alternative Program (MICAP). SVU staff and special victim advocates, assist these victims throughout the court process.

Legal Assistance and Resource Center (LARC)

651 W. Lake Street, Chicago, IL 60661

(312) 948-6821 (Intake)

www.catholiccharities.net/larc

Attorneys offer free basic legal advice and referrals via telephone in English and Spanish. Clients needing representation may be matched with an attorney from the LARC Pro Bono Network. Also provide seminars on legal topics in Chicago and suburbs.

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.

350 S. Schmale Road, Suite 150, Carol Stream, IL 60188

(630) 690-2130

(630) 690-2308 (TDD)

1-800-690-2130

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, or petitions for guardianship.

HUMAN RIGHTS

DuPage Center for Independent Living

739 Roosevelt Road, Bldg. 8, Suite 109, Glen Ellyn, IL 60137

(630) 469-2300 (Voice/TDD)

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

Equal Employment Opportunity Commission (EEOC)

500 W. Madison Street, Suite 2800, Chicago, IL 60661

(312) 353-27131-800-669-4000

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

(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

James R. Thompson Center, 100 W. Randolph Street,
Suite 10-100, Chicago, IL 60601

(312) 814-6200

(312) 263-1579 (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)

801 Roeder Road, Suite 900

Silver Spring, MD 20910

(301) 589-5600

1-800-388-2227

www.nfc.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

810 E. State Street, 3rd Floor

Rockford, IL 61104

(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, on-line business practices and charitable organizations. The Chicago office charges fees for complaints and the Rockford office does not.

Illinois Office of the Attorney General

Springfield Office

500 S. Second Street

Springfield, IL 62706

1-800-252-2518

1-877-844-5461 (TTY)

1-866-999-5630 (Identity Theft Hotline)

www.illinoisattorneygeneral.gov

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)

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

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

Illinois Department of Financial & Professional Regulation (DPR)
320 W. Washington
Springfield, IL 62786
(217) 785-0800
www.idfpr.com

100 W. Randolph
Chicago, IL 60601
(312) 814-4500

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 on-line through their web site.

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

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

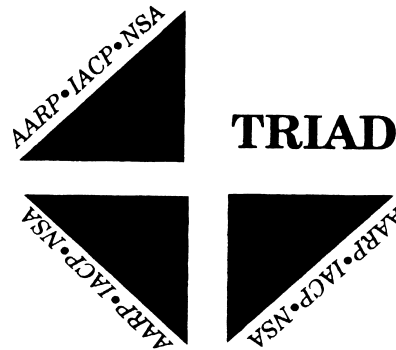
S.A.L.T. TRIAD of Darien
1710 Plainfield Road
Darien, IL 60561
(630) 971-3999

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) 357-8058**

**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)
1-866-448-613 (Illinois State 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.