

## What Services does the disAbility Law Center of Virginia provide?

**The disAbility Law Center of Virginia (“dLCV”) advocates for and protects the legal rights of persons with disabilities.** We do this through education, training, the promotion of self-advocacy skills for people with disabilities, and through information and referral services. We also provide direct advocacy services in particular cases that fall within our Strategic Goals and Focus Areas.

***Due to limited resources, it is not possible for dLCV to provide legal services or direct representation to everyone who calls for assistance.*** dLCV provides several levels of support and assistance. However, we believe that people with disabilities are their own best advocates. Therefore, dLCV may provide you with information, written materials or limited technical assistance that will assist you in speaking for yourself. We will also refer you to other agencies or resources when appropriate.

**dLCV has selected specific Strategic Goals and Focus Areas to guide our work.** Federal laws establish the eligibility criteria for our services and require the establishment of goals and focus areas. These goals and focus areas are based on public input, experience, and identified underserved areas and issues. They have been approved by our Governing Board. The selection of these focus areas does not mean that other issues are not important, but are intended to assist dLCV in focusing its resources more effectively.

**Within these Goals and Focus Areas, dLCV uses case selection criteria to decide the level of service that will be provided.** In selecting cases for direct representation, preference will be given, where appropriate, to those individuals who exercised self-advocacy through technical assistance or short term assistance provided by dLCV. These criteria include consideration of:

- Severity of harm.
- Imminence of risk.
- Potential of case to facilitate systems change or benefit other individuals.
- Availability of other resources to help the individual address the alleged violation.
- Self-advocacy ability of client or family.
- Availability of other appropriate, independent investigatory authorities.
- Availability of dLCV resources.
- Legal merit or available remedy.

If a case is being evaluated for litigation, additional factors may be considered. dLCV will seek prevailing party attorneys’ fees where appropriate.

dLCV will not be able to provide you with legal services if you already have an attorney or other advocacy assistance or have the right to appointed counsel in a specific matter.

The following Goals and Focus Areas are the disAbility Law Center of Virginia’s strategic plan of action. They are the guidelines by which the dLCV determines the level of advocacy services provided. Cases may be opened outside of the stated Goals and Focus Areas only with the approval of the Executive Director.

# **dLCV's Strategic Goals and Focus Areas**

## **October 1, 2015 – September 30, 2016**

### **1 - People with Disabilities are Free from Abuse and Neglect**

#### **Protection from Harm in Adult Institutions**

We investigate selected instances of death or serious injury, or allegations of abuse or neglect of individuals residing in institutions and seek reforms.

#### **Protection from Harm in Adult Community Settings**

We investigate selected allegations of abuse or neglect in licensed community residential settings or day-support programs and seek reforms.

#### **Representative Payees**

We review selected representative payees for beneficiaries of Social Security Disability and Supplemental Security Income to safeguard against exploitation, abuse or neglect.

#### **Appropriate Services in Juvenile Correctional Facilities**

We assist children with disabilities in correctional facilities to receive appropriate and necessary mental health services.

#### **Protection from Harm in Community or Institutional Settings Serving Children and Adolescents**

We advocate for children in treatment settings to be free from abuse or neglect and to receive appropriate habilitation and discharge planning services.

#### **Jail transfer impact project**

We seek timely transfer from jail to a mental health facility of individuals in need of court-ordered evaluation or restoration services.

### **2 - Children with Disabilities Receive an Appropriate Education**

#### **Educational Services**

We assist selected children with disabilities to receive appropriate educational services.

#### **Children who are Suspended, Secluded or Restrained**

We advocate for children who are suspended or at risk of suspension or expulsion to receive due process and appropriate services.

#### **Children with Traumatic Brain Injuries**

We help children with traumatic brain injuries to receive appropriate services in the most integrated setting.

#### **Transition from School and Work**

We work with students in special education to receive appropriate transition planning from school to work.

### **3 - People with Disabilities Have Appropriate Access to Government Services**

#### **Architectural Barriers and Reasonable Accommodations**

We seek equal access to government buildings and programs under Title II of the Americans with Disabilities Act and the Rehabilitation Act.

#### **Access to Social Security Benefits**

We assist individuals to understand their rights to receive social security benefits.

#### **Access to Vote for Persons with Disabilities**

We support the rights of persons with disabilities to have the opportunity to register and to vote.

#### **Access to Services for Adults with TBI**

We advocate for adults with traumatic brain injury to have access to appropriate services.

## **4 - People with Disabilities Live in the Most Appropriate Integrated Environment**

### **Settlement Agreement in U.S. vs. Commonwealth of Virginia.**

We monitor the requirements of the settlement agreement in *U.S. vs. Commonwealth of Virginia* to assure appropriate transitions from training centers to the community.

### **Timely Discharge from State Facilities**

We assist individuals in state-operated facilities to receive appropriate discharge planning and timely discharge to integrated community placements.

### **Maximize Individual Choice**

We advocate for individuals with disabilities to have choice and control over themselves and their environment through alternatives to guardianship and surrogate decision-making.

### **Equal Access to Public Accommodations**

We seek equal access to public accommodations and services under Title III of the ADA and the Rehabilitation Act.

### **Dual Diagnosis impact project**

We advocate for improved community services for individuals with both a mental health diagnosis and a developmental disability.

## **5 - People with Disabilities are Employed to their Maximum Potential**

### **Barriers to Work for SSA Beneficiaries**

We help beneficiaries of Social Security Disability and Supplemental Security Income remove barriers and return to work.

### **Vocational Rehabilitation Services**

We assist individuals with disabilities to receive appropriate vocational rehabilitation and independent living services consistent with the Rehabilitation Act.

### **Employment Rights under the ADA**

We educate individuals with disabilities about their right to be free from employment discrimination under Title I of the ADA and the Virginians with Disabilities Act.

## **6 - People with Disabilities have Equal Access to Appropriate and Necessary Healthcare**

### **Access to Assistive Technology (AT)**

We help individuals with disabilities obtain Assistive Technology and environmental modifications as authorized under Medicaid, Medicare or other insurance.

### **Denial of Medicaid Services**

We represent individuals with disabilities to have access to necessary medical services under a Medicaid Waiver program or under the Early and Periodic Screening, Diagnosis, and Treatment Program (EPSDT).

### **Access to Healthcare**

We promote access to health care facilities and services as required by the ADA, and assist individuals with disabilities to receive reasonable accommodations as needed.

## **7 – People with Disabilities increase Self-Advocacy through Education and Training**

### **Information and Referral**

We provide information and referral services relating to disability rights to all.

### **Education, Training and Outreach**

We offer consumers, family members, and service providers training and resources regarding disability rights and dLCV services.

### **“Coming of Age” impact project**

We equip young people with disabilities to exercise their rights to full inclusion.



**If you feel like your legal rights have been violated, contact us!**

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