

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 seek to make the most impact that we can with limited resources. 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 specific Strategic Goals and Focus Areas that are designed to affect the broadest improvements possible in Virginia’s disability services systems. Our federal grants establish eligibility criteria for our services and require us to use funds in a careful manner. We establish the focus for our work based on public input, experience, and identified underserved areas and issues. The focus areas have been approved by our Governing Board. The selection of these focus areas does not mean that other issues are not important. In our work, we strive to balance the needs of individuals with the need for systems change.

In selecting cases for direct representation, we use case selection criteria. Preference will be given, where appropriate, to those individuals who exercised self-advocacy through technical assistance or short term assistance provided by dLCV. Case 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 make up our strategic plan of action. They are the guidelines by which the dLCV determines the level of 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, 2017 – September 30, 2018

1 - People with Disabilities are Free from Abuse and Neglect

People with disabilities are free 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, identify trends, and seek reforms.

People with disabilities are free from harm in adult community settings

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

Children and youth with disabilities are free from harm in community or institutional settings

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

Children and youth with disabilities receive appropriate services in Juvenile Justice Facilities

We assist children with disabilities in correctional facilities to receive mental health, educational and vocational services.

2 - Children and Youth with Disabilities Receive an Appropriate Education

Children and youth with disabilities in underserved populations receive educational services

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

Children and youth with disabilities are not suspended, secluded or restrained in school

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

3 - People with Disabilities Have Appropriate Access to Government Services

Government programs remove architectural barriers and provide reasonable accommodations

We seek equal access to government services under Title II of the Americans with Disabilities Act, the Rehabilitation Act, and the Architectural Barriers Act.

Adults with TBI have access to government services

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

People with mental illness are discharged timely from state facilities

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

People with disabilities have maximum individual choice

We advocate for individuals with disabilities to have choice and control over themselves and their environment.

People with disabilities have equal access to public accommodations

We seek equal access to public accommodations and services.

Individuals with dual diagnoses have access to appropriate services

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

Enforce the settlement agreement in *US v. Virginia*.

We will seek continued enforcement of the settlement agreement requiring significant improvement in the Commonwealth’s intellectual and developmental disabilities services system.

5 - People with Disabilities are Employed to their Maximum Potential

People with disabilities receive appropriate Vocational Rehabilitation

We assist individuals with disabilities to receive appropriate vocational rehabilitation and independent living services.

People with disabilities access supports and benefits for gainful employment

We advocate for the rights of individuals with disabilities to receive Social Security benefits and vocational rehabilitation services needed to gain or maintain employment.

Investigate the impact of Section 511 of the Rehab Act on individuals with disabilities

We educate individuals employed in sheltered workshops on the protections of Section 511 and advocate for their vocational rehabilitation and employment rights.

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

People with disabilities are not denied Medicaid services unlawfully

We represent individuals with disabilities to have access to necessary medical services under Medicaid.

People with disabilities have 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.

Increase transportation access to community-based healthcare

We will increase access to health care providers for individuals with disabilities who utilize fixed-route public transportation.

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

All people with disabilities who contact dLCV receive Information and Referral services

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

dLCV provides education, training and outreach to the general public

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

dLCV provides education, training and outreach to underserved populations

We offer outreach, training and resources to members of targeted underserved populations.

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

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