



Review of Priorities

Introduction

Land of Lincoln Legal Assistance Foundation, Inc. (Land of Lincoln) establishes priorities for the delivery of legal services in order to target our limited resources to best address the most pressing legal needs of low income and elderly persons in our 65 county service area.

The Board of Directors reviews the priorities annually, pursuant to Legal Services Corporation regulation, 45 CFR 1620.5. In determining whether the priorities should be changed, the Board considers all of the factors in 45 CFR 1620.3. The Board conducted the annual review of priorities at its November 30, 2012 Board meeting.

During 2011, Land of Lincoln engaged in a comprehensive assessment of the most pressing legal problems and needs, both addressed and unaddressed, of the low-income population in our service area, including all major segments of that population. The report, entitled "Re-examining Where Communities Need Us Most", was finalized in August 2011. The report included an appraisal of the needs of eligible clients and their relative importance based on information received from potential or current eligible clients. The appraisal also included information from the judiciary, the private bar, and other agencies serving Land of Lincoln's client populations.

The 2011 client needs assessment continues to be relevant and was considered in reviewing the 2012 Priorities. Demand for our services during 2012, as demonstrated by case statistics, was also considered. Receipt of a significant grant from the Illinois Attorney General for legal assistance for struggling homeowners was also taken into account for 2013, because it will enable us to do bankruptcies for homeowners and former homeowners. Regional office staff and local client advisory councils also reviewed the 2012 Priorities. In reviewing the Priorities, we also considered other methods to address those needs, including alternative delivery approaches, collaboration and referral to other agencies, and recruitment of and referral to pro bono attorneys. When developing strategies to achieve our objectives, we considered our unique competencies as a legal assistance organization.

Vision and Mission

Vision: We believe all people of central and southern Illinois should have access to justice, income security, adequate housing, quality education, healthcare, safety from violence and exploitation, and the opportunity to improve their own lives.

Mission: Our mission is to provide low income and senior residents of central and southern Illinois with high quality civil legal services in order to obtain and maintain their basic human needs. Through advice, representation, advocacy, education, and collaboration, we seek:

- to achieve justice for those whose voices might otherwise not be heard;
- to empower individuals to advocate for themselves; and
- to make positive changes in the communities we serve.

2013 Statement of Priorities

The need for legal services exceeds available resources. In order to maximize the effectiveness of its resources, Land of Lincoln has identified critical legal issues that will be considered for extended representation and will utilize other delivery methods as well, such as telephone advice and referral; limited representation; and community legal education. On issues affecting broader segments of the client population, we support the use of systemic advocacy to achieve long-term favorable change for low income individuals and communities. We also encourage staff to be innovative in developing service delivery strategies to accomplish the goals in each priority area. We continually evaluate the effectiveness of all delivery strategies.

All priorities apply program-wide and any cases or other services within them are not intended to be treated as emergencies outside of our priorities. These priorities encompass activities directly related to cases and matters, including screening, intake, and referral; providing information about the availability of legal services; collaborating with the private bar, law schools, and other organizations serving clients; and engaging in indirect services, such as training, continuing legal education, and tracking substantive law developments. The following priorities identify the cases and other services (matters) that may be undertaken by Land of Lincoln staff.

Advice and Referral

Land of Lincoln staff may provide advice or referrals in order to provide assistance to eligible clients with legal problems that would not be considered for extended representation. The goal of this service delivery method is to provide clients with quick access to information or legal advice about their rights, even though the resources of the program do not permit extended representation. Another goal is to provide referrals to other sources of assistance for the client. This method does not include advice or brief services on any type of case that is prohibited by authorizing or appropriation statutes or regulations applicable to recipients of Legal Services Corporation funds.

Extended Representation

Extended representation refers to services beyond the provision of telephone advice, referral, or brief services by Land of Lincoln's Legal Advice and Referral Center (LARC) or regional office staff, or beyond referral to a pro se clinic, website, or self-representation help desk. The goal of this service delivery method is to address the most pressing client or community needs that cannot be resolved without extended representation.

Extended representation may involve intervention or negotiation with a third party; preparation of documents; representation in court or at administrative hearings; appellate practice; systemic advocacy; or legislative and administrative rule-making, as permissible. After evaluation, it may be determined that the nature of a case warrants only counsel and advice. Extended representation may also involve transactional work on behalf of a group or individual or community economic development work.

When evaluating whether to commit program resources for extended representation, Land of Lincoln will consider whether:

- there is a likelihood of success on the merits;
- the time required to address the problem is reasonable considering the legal issues, the amount in controversy, and the impact on the client or client community;
- the applicant's ability to benefit from advice or legal information is limited by factors such as disability, illness, mental impairments, age, or limited English proficiency;
- there are sufficient staff resources available for effective representation;
- there are other resources available in the community to address the problem;
- there are significant adverse consequences for the client or client community if no legal assistance is provided;
- there are significant benefits for the client or client community if legal assistance is provided; and
- the problem is common and representation will benefit a significant number of clients.

Land of Lincoln strives to ensure access to extended representation on the highest priority issues throughout its service area. When establishing case acceptance policies for extended representation to implement these priorities, the regional offices shall give highest priority to the types of cases and other services most likely to achieve the objectives or desired outcomes in each area. Every regional office is not required to consider every type of case listed in the strategies for extended representation in its case acceptance policies.

Delivery of Legal Services

We are employing technology to improve access to our services through LARC, and are continually evaluating how we can use technology to improve our efficiency. We also collaborate with Illinois Legal Aid Online and the courts on self-help centers to make the resources of the statewide website and local court information accessible to low-income persons and pro se litigants throughout our service area. Our staff engages in community education and outreach to inform members of the low income community about our services and about their legal rights. We also collaborate with our community partners.

Offices are encouraged to consider innovative or alternative delivery approaches to address legal needs which have been identified, but which Land of Lincoln will not, because of resource limitations, be able to address through extended representation. The goal of this service delivery method is to enhance the ability of low income and elderly individuals to protect their own interests and to improve their access to the judicial system. Another goal is to improve community response to issues that impact our service territory.

An important part of the work that Land of Lincoln does involves community lawyering. We are involved in the communities that we serve, to understand the needs of our client population and to improve community responses to those needs. We work with individual community groups to strategically advance those groups' objectives through advocacy, communication, media, education, networking, transactional representation, and obtaining resources.

Resource Allocation

One of the reasons Land of Lincoln engages in priority setting is to ensure that our resources are used in ways that are most appropriate to meet the critical legal needs of the low income population in our service area. In our 2011 needs assessment, we asked client eligible respondents about the relative importance of legal problems and issues facing their communities. For clients, the legal needs identified as most important were housing and income related issues such as public benefits, employment, and child support. One of the overarching concerns of clients was not having sufficient income to meet all of their basic needs. The areas of housing and employment also corresponded to the most important community issues identified by all respondents. One of the implications of this needs assessment is that Land of Lincoln's allocation of over half of its resources to family law problems is not consistent with the most important legal needs identified by low-income people in our service area. Therefore, we must consider how we can target more resources to meet those underserved issues.

To allocate and target our resources to address the most pressing legal needs of our client population, some reallocation of resources is needed and required. Reallocation can best occur by setting minimum levels of time for each priority area of service, and then implementing those minimum levels in regional office work plans. The minimum levels are a percentage of combined case and other services/outreach time for regional offices, excluding advance directives, wills and ombudsman cases. The minimum time allocations are: Family - 35%; Housing - 25%; Health and Economic Security - 16%; Consumer and Utilities - 10%; Education - 4%; and Local Option - 10%.

Private Bar and Other Volunteers

A particular strategy that cuts across all areas of our practice is the recruitment of private attorneys to provide pro bono services to our clients. We will strive to have pro bono attorneys representing our clients in each county of our service territory. We will also continue to try to diversify the types of cases we are able to refer to pro bono attorneys. Each office will coordinate pro bono referrals by dedicating office staff to the recruitment, training, and support of pro bono attorneys, as well as identifying cases eligible for referral, making those referrals, and recognizing the efforts of our private bar partners.

Another strategy that cuts across our service territory is the use of volunteers to increase our ability to serve our communities. We will strive to recruit, train, and use law students to provide representation to clients, through law school clinics, externships, or volunteer positions, where possible. We will also strive to recruit, train, and use undergraduate students, paralegals, and other volunteers to provide services to clients, where possible.

Populations with Special Vulnerabilities

We may provide specialized services to address the needs of certain populations, such as persons age sixty and over, residents of long term care facilities, and persons with disabilities. To the extent that they are low income, and their legal problems are addressed by our priorities, we will evaluate their cases under those criteria. However, we also recognize that the elderly and persons

with disabilities may have special needs that are not addressed by the core priorities. Thus, we will give priority to additional types of cases and matters to address the needs of individuals age sixty and over, residents of long term care facilities, and persons with disabilities. In some geographic areas, some services for these populations may depend on the availability of grant funds for that purpose.

Race Equity

Segregated neighborhoods, concentrated poverty, slum housing conditions and inadequate infrastructure, health disparities, poorly performing schools, targeted code enforcement and exclusive land use are tied to institutional and structural discrimination, affecting our clients' day to day existence, their children's futures, and blocking access to decent homes, schools, health care and an overall decent quality of life. The goal of this priority is to promote race equity by identifying and challenging policies and practices that disadvantage racial or ethnic minority groups.

Veterans

To the extent that veterans are low income, and their legal problems are addressed by our priorities, we will evaluate their cases under those criteria. In addition, we will refer veterans for some additional services, such as powers of attorney, to the extent that pro bono representation is available. During 2012, we will increase our outreach efforts to veterans and agencies that serve them to inform them about our services.

Grants by Non-Legal Services Corporation Funders

Grants received by Land of Lincoln usually fund activities that are fully consistent with these Priorities. Where a grant expands client income eligibility or requests additional services in certain types of cases or matters not prohibited by law, Land of Lincoln will provide the services contracted for by the funder.

Emergency Cases and Matters

Land of Lincoln resources may be used to accept non-priority cases and matters with prior written Executive Director approval if there is a need for immediate legal action and no other legal assistance is available. Emergencies include legal action to: (1) secure or preserve the necessities of life; (2) protect against or eliminate a significant risk to the health or safety of the client or the client's immediate family; (3) or address significant legal issues that arise because of new and unforeseen circumstances such as natural disasters or changes in the law.

Goals, Objectives and Strategies

Income Security

Goals

1. Obtain public benefits for low income families
2. Promote the economic security of low income individuals

Objectives/Outcomes

1. Obtain government benefits to which our clients are entitled
2. Remove barriers to employment
3. Enforce employment rights, such as FMLA and ADA
4. Discharge student loans for those whose government benefits are being offset by the Treasury and those who qualify for government benefits
5. Increase understanding of public benefits and employment rights

Strategies

CASES

1. General Assistance, TANF, SNAP benefits
2. Medicaid
3. Expungement and sealing of criminal records
4. SSI/SSDI overpayments
5. SSI/SSDI eligibility and termination, for adults and children, to the extent that private attorney resources are not available
6. Wage claims
7. Division of Child Support Enforcement administrative accountability process
8. Student Loan Discharge Cases
9. Agricultural law cases on behalf of financially distressed or beginning farmers, to the extent funding allows
10. Other cases that will promote income security to the extent resources allow

OTHER SERVICES

1. Screen LSC-eligible clients at regional offices for SNAP eligibility and amount of benefits
2. Refer all applicants (at LARC and regional offices) who have no income to the appropriate township for possible assistance
3. Conduct outreach to community partners concerning public benefits, employment issues, and Land of Lincoln services, in each county we serve
4. Participate in permissible legislative and administrative advocacy on public benefits and employment issues
5. Other services that will promote income security to the extent resources allow

Safe Affordable Housing

Goals

1. Promote safe and affordable housing
2. Prevent homelessness

Objectives/Outcomes - Rental Housing

1. Defeat or negotiate settlements of eviction actions or Section 8 terminations
2. Prevent illegal lock-outs or other actions to deprive tenants of their homes without legal process
3. Enforce tenants' rights to safe and habitable housing
4. Enforce other rights of public and assisted housing tenants
5. Enforce mobile home park tenants' rights for those renting either the mobile home or a lot
6. Enforce tenants' rights to reasonable accommodations and fair housing
7. Increase understanding of housing rights for tenants, mobile home owners, or mobile home park tenants

Strategies - Rental Housing

CASES

1. Evictions and Section 8 terminations where the tenant has a defense
2. Affirmative cases and counter-claims against public and private landlords to enforce tenants' rights to safe and habitable housing
3. Affirmative cases regarding failure of code enforcement officials to enforce housing codes
4. Affirmative cases to force public housing authorities and management companies to comply with federal law and regulations and their own policies and procedures
5. Affirmative cases and counter-claims to enforce the rights to accommodations for tenants with disabilities
6. Fair Housing Act claims
7. Mobile Home Act claims
8. Bankruptcies with significant impact to the extent such cases can be referred to pro bono attorneys
9. Other cases that will promote affordable housing and prevent homelessness to the extent resources allow

OTHER SERVICES

1. Engage in community advocacy, capacity building, and collaboration with organizations that focus on housing issues for low income individuals
2. Conduct outreach to housing inspectors, code enforcement agencies, and local governments in each county we serve
3. Employ media advocacy strategies to address code enforcement problems and unsafe housing conditions
4. Participate in permissible legislative and administrative advocacy on issues affecting the rights of tenants
5. Maintain and distribute current brochures and/or fact sheets concerning housing issues to clients, other service providers, and the courts

6. Other services that will promote affordable housing and prevent homelessness to the extent resources allow

Objectives/Outcomes - Homeownership

1. Prevent homeowners from losing their homes
2. Obtain affordable house payments for homeowners
3. Avoid personal deficiencies in foreclosure cases
4. Obtain relief from predatory home loans
5. Obtain titles in contract for deed cases
6. Rescind or obtain modification of unconscionable contracts for deed
7. Increase understanding of the foreclosure process and other homeownership rights
8. Increase understanding of prioritizing expenses in the household budgeting process for low income households

Strategies - Homeownership

CASES

1. Foreclosure defense in order to stay the process to apply for loan modification and pursue mediation (where available), as well as to raise affirmative defenses and claims, and avoid personal deficiencies.
2. Contract for deed affirmative and defensive cases
3. Bankruptcies (Chapter 7 and 13)
4. Other homeownership cases that will promote affordable housing and prevent homelessness to the extent resources allow

OTHER SERVICES

1. Work with courts to develop foreclosure mediation programs and other ways to provide information to homeowners
2. Conduct outreach to other social service providers that assist homeowners
3. Employ media advocacy strategies to address homeownership issues
4. Participate in permissible legislative and administrative advocacy to address mortgage and other homeownership issues
5. Other services that will promote affordable housing and prevent homelessness to the extent resources allow

Health Care

Goal: Improve health outcomes for low income individuals

Objectives/Outcomes

1. Improve access to healthcare for low income individuals
2. Ensure systems are in place for the 2014 Affordable Care Act provisions
3. Improvement in charity care policies of hospitals in our service territory
4. Remedy environmental issues that impact low income neighborhoods
5. Promote healthy neighborhoods and communities

6. Increase the understanding of patients and medical providers about the legal rights of low income patients

Strategies

CASES

1. Medicaid
2. Other cases to improve health outcomes for low income individuals as resources permit.

OTHER SERVICES

1. Collaborate with medical providers in Medical Legal Partnerships to improve health outcomes for their patients
2. Advocate for improvements in charity care policies of hospitals
3. Advocacy around implementing the 2014 Affordable Care Act
4. Promote healthy neighborhoods by collaborating with community groups to address issues impacting the health of low income individuals
5. Other services that will improve health outcomes for low income individuals as resources permit

Family Safety and Stability

Goals

1. Protect victims of domestic violence, sexual assault, or stalking, and their children, from further abuse
2. Achieve safety and/or stability for children in custody determinations

Objectives/Outcomes

1. Decrease the likelihood of further violence for victims and their children
2. Permanently sever the legal relationship between victims and their abusers
3. Promote safety and/or stability for children through representation of primary caretakers in custody determinations
4. Improve outcomes for family law clients accepted for full representation by addressing other legal issues impacting family stability, such as child support, access to public benefits, debts, and inadequate housing
5. Establish rights and responsibilities of parties to divorce actions not involving violence or children
6. Increase the understanding of victims, parents, and other agencies about family law and the legal process

Strategies

CASES

1. Orders of Protection, Civil No Contact Orders, and Stalking No Contact Orders for victims of domestic violence, sexual assault, and stalking for clients who would not be able to obtain the relief pro se or with the assistance of a court advocate

2. Affirmative or defensive custody cases and divorces involving children for victims of domestic violence where attorney representation can have the most positive impact
3. Cases to defend custody of primary caretakers, including child snatching actions, and defense of custody, guardianship and divorce cases, where facts support that continued custody by primary caretaker is in best interest of child
4. Affirmative or defensive divorces without children for victims of domestic violence where attorney representation can have the most impact
5. Other divorces where pro bono representation is available
6. Affirmative or defensive custody or guardianship cases for non-parents who are primary caretakers of children in their custody as a result of domestic violence, abuse, neglect, abandonment, or extended absence by the parents
7. Bankruptcies with significant impact to the extent such cases can be referred to pro bono attorneys
8. Other cases to improve family safety and security for low income individuals as resources permit

OTHER SERVICES

1. Identify other legal issues that can be addressed to improve outcomes for the family, by conducting a legal needs assessment with each family law client accepted for extended representation
2. Participate in Family Violence Coordinating Councils in each circuit and/or county in which they exist
3. Collaborate with domestic violence shelters and other domestic violence service providers
4. Conduct outreach to other organizations that assist victims of elder abuse, domestic violence, sexual assault, and stalking in each county that we serve
5. Maintain and distribute current brochures or fact sheets on family law issues, including domestic violence, divorce, custody, and child support
6. Work with the courts and private bar to develop pilot projects to use pro bono attorneys to provide limited scope representation, such as assistance to pro se divorce litigants
7. Serve as the Guardian ad Litem in cases to assist the court in providing stability and/or safety for children in custody determinations, as a pilot project in the Northern Regional Office
8. Research child support issues encountered by our clients, and develop plan to remedy problems
9. Other services that will promote family safety and stability as resources permit

Consumer Protection

Goals

1. Protect individuals from consumer fraud and predatory lending
2. Protect the income and assets of eligible clients by enforcing their consumer rights

Objectives/Outcomes

1. Protect individuals from abusive collection practices
2. Enforce exemption rights
3. Prevent or minimize court-ordered payments that are unaffordable or in violation of exemption rights

4. Obtain relief for consumers from fraud, unconscionable contracts and identity theft
5. Prevent wrongful repossession of property
6. Protect consumers from fraudulent or detrimental debt settlement, debt consolidation, and credit improvement schemes
7. Assert other defenses to prevent or minimize judgments
8. Obtain relief from medical debt
9. Obtain relief for victims of wrongful post-judgment property seizure
10. Obtain bankruptcies which have a significant impact for debtor
11. Increase understanding of consumer legal processes and prioritizing expenses in household budgeting

Strategies

CASES

1. Affirmative cases, and defenses and/or counterclaims where clients have been defrauded or been victims of deceptive practices
2. Affirmative cases and defenses and/or counterclaims to assert contract rights or to defend against contract claims
3. Debt collection cases to protect clients' income and assets or address abusive or illegal collection practices
4. Bankruptcies with significant impact to the extent such cases can be referred to pro bono attorneys.
5. Other cases that will protect low income consumers to the extent resources permit

OTHER SERVICES

1. Help individuals apply for medical debt relief (brief services project)
2. Help individuals with exempt income or assets to prepare affidavits in citation to discover assets cases (brief services)
3. Help individuals send cease contact letters to creditors (brief services)
4. Work with courts to develop forms in consumer cases
5. Work with courts to send exemptions information out with summons in collection cases
6. Develop cue cards to guide defendants through collections cases
7. Participate in permissible legislative and administrative advocacy on consumer issues
8. Employ media advocacy strategies on issues impacting low income consumers
9. Other services that will protect low income consumers to the extent that resources permit

Utilities

Goals:

1. Obtain a continuous supply of affordable utility services
2. Promote energy assistance for low-income consumers

Objectives/Outcomes

1. Secure continuous utility service at an affordable cost
2. Establish energy assistance programs
3. Enforce utility customer rights

4. Enforce energy assistance participants and applicants rights
5. Secure energy efficient residences for low-income households

Strategies

CASES

1. Service issues (ICC, municipal, and other providers)
2. Energy assistance
3. Bankruptcies with significant impact to the extent such cases can be referred to pro bono attorneys

OTHER SERVICES

1. Collaboration to establish and implement energy assistance programs
2. Outreach to client community regarding utility customer rights
3. Permissible legislative and administrative advocacy on utility service and energy assistance issues for low income households
4. Other services that will promote access to a continuous supply of affordable utility services as resources permit

Quality Education

Goal: Enforce the educational rights of children in low income families

Objectives/Outcomes

1. Obtain educational services for children with disabilities
2. Overcome wrongful suspension/termination or other discipline
3. Enforce children's educational access rights
4. Enforce children's other educational rights
5. Increase understanding of children's educational rights

Strategies

CASES

1. Special education
2. Discipline
3. Education access
4. Other educational rights
5. Other cases that will promote the educational rights of children to the extent resources permit

OTHER SERVICES

1. Conduct outreach to communities with high number of low income students in order to educate parents, social service providers, teachers, and after school programs about children's educational rights and Land of Lincoln services
2. Collaborate with parents to increase their ability to advocate for their children

3. Collaborate with after school organizations to advocate for children's educational rights, as a project
4. Collaborate with the juvenile court system to identify and serve the educational issues of youth in the juvenile justice system, as a project
5. Other services that will promote the educational rights of children to the extent resources permit

Protection of Seniors and Persons with Disabilities

Low income senior citizens and persons with disabilities may have issues in all priority areas. But in addition, seniors and persons with disabilities are vulnerable to other forms of abuse or exploitation which we will also seek to remedy or prevent. Some services may only be available where special funding, particularly under the Older Americans Act, is available.

Goals

1. Protect seniors and persons with disabilities from abuse and neglect
2. Protect seniors and persons with disabilities from undue influence, fraud, and financial exploitation
3. Promote independence of seniors and persons with disabilities

Objectives/Outcomes

1. Protect seniors from abuse or neglect by caretakers, agents, or other parties
2. Protect independence of seniors
3. Obtain refunds of monies wrongfully taken from seniors
4. Change wrongful/illegal policies and practices of nursing homes and assisted living centers
5. Increase the understanding of seniors of their legal rights

Strategies

CASES

1. Affirmative cases and injunctive relief to prevent and remedy elder abuse
2. Affirmative cases and injunctive relief to prevent and remedy financial exploitation of seniors and persons with disabilities
3. Defense or termination of guardianships to prevent and remedy exploitation of seniors and adults with disabilities
4. Revocations of powers of attorney as necessary to remedy exploitation
5. Nursing home eviction defense
6. Collection defense that is elder abuse related
7. Simple wills and advance directives as preventive measure to the extent special funding or pro bono attorneys are available
8. Other cases as necessary to protect and promote independence of senior citizens and persons with disabilities, to the extent resources permit

OTHER SERVICES

1. Collaborate with social service agencies, senior centers, medical providers, and other organizations serving seniors
2. Perform community legal education on senior issues
3. Conduct outreach to law enforcement agencies
4. Maintain and distribute current brochures and/or fact sheets on senior issues, including advance directives, elder abuse, financial exploitation
5. Other services as necessary to protect and promote independence of senior citizens and persons with disabilities, to the extent resources permit.