

Testimony of Mr. Rawle Andrews Jr.
Resident of the District of Columbia
Before the Committee on Public Safety and the Judiciary
District of Columbia City Council
1350 Pennsylvania Avenue, NW, Washington, DC 20004

Honorable Phil Mendelson, Chair
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Agency Performance Oversight Hearing
Office of the Attorney General

Good morning Chairman Mendelson and Members of the Committee. My name is Rawle Andrews, and I am the Managing Attorney of Legal Counsel for the Elderly. Founded in 1975, Legal Counsel for the Elderly (or “LCE”) is an AARP affiliated, non-profit organization that provides free legal services and advocacy for the low income and indigent elderly of the District of Columbia, including over 4,000 residents during last year alone. With an effective combination of skilled professional staff and significant contributions of volunteer time and expertise, LCE provides a wide-range of intersecting and complementary services (e.g., legal, psycho-social, and financial) to those in need, and it utilizes a holistic approach to champion the dignity and rights of Washington’s elderly residents. LCE plays an essential role in serving the needs of older District residents—a majority of whom are low-income minorities and many of whom have disabilities.

LCE’s mission is to improve the quality of life for older District residents by advocating for their rights through a variety of innovative delivery methodologies which, when successful, are promoted for replication locally and across this nation. Our goals are to serve and empower a large number of low income seniors in areas of law involving “basic human needs” such as income, housing, long-term care, personal autonomy (including wills and powers of attorney), and consumer protection issues.

A. LCE's Programs and Initiatives

Legal Counsel for the Elderly currently oversees eight legal services projects, all with significant volunteer components, and together which form an integral and indispensable part of the social service delivery system for District seniors, especially the frail, poor, institutionalized and vulnerable elderly. Moreover, each state and the District of Columbia are required to designate a legal services developer and a nursing home ombudsman. LCE performs these federally mandated functions in the District of Columbia and has performed these specific functions for more than twenty years. We also provide basic information on individual rights and quality of care issues for clients and caretakers.

As you may know, callers to LCE initially are assisted by our Legal Hotline, the first of its kind in the nation, which is now over 20 years old. The Hotline enables clients to speak immediately with an experienced attorney about their legal problems, which is a vital link in the network of social service agencies in the District to essential legal advice and referrals for clients and their caregivers. The Hotline then schedules problems that cannot be resolved over the telephone with the legal staff of LCE's Brief Services Unit, with our *Pro Bono* Project, or with one of our experienced staff attorneys. LCE staff attorneys provide in-depth services such as document drafting, hearings, negotiations, and court representation. The *Pro Bono* Project makes referrals, monitors and provides technical assistance on over 800 *pro bono* cases per year and continues to test innovations in expanding the horizons of volunteer legal service delivery. All of these initiatives are designed to increase access to justice by providing high quality, free legal services to some of the most vulnerable residents in our community, while at the same time identifying service gaps where some residents essentially are forced to go lacking on basic human needs because of physical or mental disabilities beyond their control. It is through these

initiatives that LCE was able to identify a service gap for the homebound elderly in our community.

B. The D.C. Homebound Elderly Project (or “Project HELP”)

According to U.S. Census estimates, there are over 96,000 District of Columbia residents age 60 or older. Within this demographic, U.S. Administration on Aging officials have identified more than 15,000 District seniors as having acute physical or mental disabilities that make it virtually impossible for them to leave their homes even for medical care or groceries. In many instances, these individuals are aging in place, but have become isolated because of their homebound status, thereby impacting their quality of life.

Although LCE has tried over the past 30 years to serve the homebound elderly on a piecemeal basis (including the recruitment of a few intrepid volunteers), this is a extremely labor-intensive function that demands a far more robust and focused effort than our organization historically had been able to sustain. That is until we were awarded a sub-grant from the Office of Attorney General and the D.C. Bar Foundation, directly from funds appropriated by the D.C. City Council at the urging of the D.C. Access to Justice Commission, to launch the “D.C. Homebound Elderly Project.”

As originally conceived, Project HELP utilizes the services of a full-time staff attorney, whose work is overseen by LCE’s Managing Attorney and supported by the professional staff of the Legal Hotline and the Long-Term Care Ombudsman Program. The staff attorney promotes the service throughout District neighborhoods by leafleting and speaking engagements at faith-based organizations, social service agencies, senior centers and civic groups, particularly in areas LCE has identified as having a high concentration of low income and indigent elderly residents. The most recent census data shows that roughly 54% of the elderly poor in the District reside

within just five zip codes (20019, 20002, 20001, 20011 and 20020). Additionally, Project HELP is able to secure word of mouth referrals because of the five self-help offices it oversees that are strategically located across the city.

The services offered by Project HELP include: (1) interviewing clients at home regarding legal problem(s); (2) drafting or reviewing legal documents that seniors may need, such as powers of attorney or wills; (3) administering a “public benefit” check-up to ensure that they are getting all the benefits to which they are entitled; (4) analyzing their housing situation concerning any landlord problems or consumer problems or, in the case of home owners, any problems with home repair, predatory lending, or deed fraud; and (5) following up on identified legal problems either by handling the legal problem directly for the client, or securing assistance through LCE’s other initiatives (e.g., Alternatives/Affordable Housing Project, Consumer Protection Unit, the Property Tax Foreclosure Avoidance Project, or the D.C. Long Term Care Ombudsman Program).

Despite the recent loss of a project staff attorney, LCE has worked diligently to ensure that Project HELP is a model legal services program with high visibility across the city. Since the inception of this Grant Award, Project HELP has assisted over 75 homebound clients with 110 distinct cases, including seven new cases which were opened in recent weeks. Among others, these home visit cases, which might otherwise have fallen through the cracks but for the D.C. City Council’s appropriation of funds to the Office of Attorney General to expand civil legal services, include instances where low income seniors, many of whom are in desperate need of legal services, were found to be living without running water, amidst heightened levels of infestation, surrounded by large volumes of clutter due to hoarding, or otherwise were incapable of handling much needed applications for public benefits.

By all outward indications (including the total number of home visits to date, the nature of referrals and an increasing volume of cases), Project HELP has been well-received by the community. This view is supported by, among other things, the enhanced opportunities for collaboration with the Office of Attorney General, Adult Protective Services, and most frequently, the D.C. Office on Aging and its social service network, as well as certain faith based organizations and civic groups. We also have noticed an increased level of interest and engagement from the local legal community. For example, LCE has obtained *pro bono* services or commitments, specifically for Project HELP, from several outside legal organizations, including volunteer attorneys, paralegals and legal secretaries from U.S. Department of Justice, the U.S. Securities and Exchange Commission, Jordan Burt, King & Spaulding, Latham & Watkins, McDermott, Will & Emery, Patton Boggs, Powell Goldstein, Ropes & Gray and Venable. It is noteworthy that several of these outside organizations had no real relationship with LCE before Project HELP was launched.

Finally, in addition to handling cases, Project HELP was spotlighted as a featured initiative during the 2007 National Legal Aid and Defenders Association (“NLADA”) Annual Meeting in Tucson, Arizona. The project will also be profiled a presentation on the so-called “Boomer Tsunami” during the 2008 American Bar Association-NLADA Equal Justice Conference in Minneapolis, Minnesota in early May 2008. In addition, LCE has received requests for written publications on this initiative from outside periodicals within the legal services community. The bottom line: Project HELP is alive and well and making a difference in the lives of District seniors and their caregivers.

Although much progress has been made in increasing access to justice for the least of these, a lot of work remains to be done. Even with all our outreach programs, the legal services

community periodically are reminded that our neighbors in need do not always know where we are or what kind of assistance we can provide. What is clear, however, based on the work to date, is that the D.C. City Council's decision to appropriate funds to expand civil legal services—and thereby increase access to justice for all city residents—was a prudent decision and must be preserved.

Thank you.