

LAND OF LINCOLN

LEGAL ASSISTANCE FOUNDATION, INCORPORATED



ABOUT
OUR
SERVICES



M I S S I O N

The mission of Land of Lincoln Legal Assistance Foundation, Inc. is to pursue civil justice for low-income persons through representation and education. LOL's goals are:

- to promote economic security, adequate shelter and health care;*
- to alleviate domestic violence and improve family stability; and*
- to advance the interests of vulnerable populations.*

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What is LOL?

WHAT IS LAND OF LINCOLN LEGAL ASSISTANCE
FOUNDATION?



Land of Lincoln Legal Assistance Foundation, Inc. (LOL) is an Illinois not-for-profit corporation. We provide free civil legal services to low-income persons and senior citizens in 65 counties in central and southern Illinois. LOL is governed by its own Board of Directors made up of attorneys and eligible clients who live throughout our 65 county service territory.

LOL is not a government agency. We are independent advocates for our clients. Much of our funding comes from the federal Legal Services Corporation, which receives funding through congressional appropriations. Other LOL funders include the Lawyers Trust Fund, Illinois Attorney General, Illinois Department of

Human Services, U.S. Department of Housing and Urban Development, local United Ways, the Illinois Criminal Justice Information Authority, the Department of Justice Violence Against Women Office, and Area Agencies on Aging.

LOL attorneys provide a full range of civil legal services. Client communication with LOL staff are confidential and protected by attorney-client privilege. LOL staff also provide outreach and education about legal issues faced by low-income persons for client groups and service providers. For more information about community legal education, please call your local LOL office.

LOL operates eight branch offices and a centralized telephone intake, advice and referral center called the Legal Advice & Referral Center (LARC). The branch offices are located in Alton, Champaign, Decatur, East St. Louis, Mattoon, Mount Vernon, Murphysboro and Springfield.

Office locations, counties served and telephone numbers are listed in the back of this booklet.

Who is Eligible?

WHO IS ELIGIBLE?

Requests for service are initially screened to determine:

- county of residence,
- type of legal problem,
- conflict of interest,
- financial eligibility, and
- citizenship/immigration status.

If the initial screening criteria are met, then the standards for accepting individual cases are applied.

Initial Screening Criteria

INITIAL SCREENING CRITERIA

COUNTY OF RESIDENCE

To be eligible for our services, the applicant must live in one of the 65 counties listed at the end of this booklet or have been sued in one of those counties or have a legal problem that needs to be resolved in one of those counties. If the individual does not meet these criteria, he or she should check the phone book for the legal aid office serving his or her area.

TYPE OF LEGAL PROBLEM

We handle only certain kinds of civil cases. (See Type of Problems Handled on pages 6-8.) We do not handle any criminal cases, including traffic cases. We also do not handle any personal injury, malpractice or workers' compensation cases. (See Types of Problems Not Handled and Where to Get Help on page 9.)

CONFLICT OF INTEREST

Like other law firms, LOL attorneys cannot represent both sides in a dispute or advise or represent clients with opposing interests. We cannot handle cases against people who are or have been our clients. This is a rule of professional ethics for all attorneys.

Financial Eligibility

FINANCIAL ELIGIBILITY

* **Income:** Financial eligibility is based on gross (before deductions) income from all sources and from all persons residing in the household. Countable income may not exceed 125% of the federal poverty level. If an applicant's income is greater than 125% of poverty, but less than 187.5% of poverty, then we consider other factors, including child care costs, work-related transportation, and certain medical expenses, to determine eligibility. For legal problems related to government benefit programs such as Food Stamps, welfare benefits, and medical assistance, income may not exceed 187.5% of the federal poverty level.

* **Asset Limits:** In general, client family units may not have liquid assets over \$2,000 or non-liquid assets over \$10,000 in value. The client's home, one car, household goods and furnishings, clothing and work-related equipment are not counted against the asset limit.

* **Financial Eligibility Standards for Organizations.** Some client organizations or groups are eligible for services. The group must show that it cannot afford a private lawyer and that its members consist primarily of individual eligible clients.

* **Persons over age 60** are eligible for LOL's services irrespective of income or assets in certain counties through their Area Agency on Aging project. Restrictions on the types of cases handled may apply.

* **Under special contracts,** some LOL offices provide assistance to persons whose income is greater than 125% of the federal poverty level. These contracts include services for victims of domestic violence, persons who are HIV positive, and nursing home residents.

Citizenship

CITIZENSHIP:

The rules governing our Legal Services Corporation funding have strict and complex requirements about representation of persons who are not U.S. citizens. Some non-citizens are eligible for assistance, and all information given to us during the application process concerning immigration status is confidential.

COMPLAINTS

Any person who has been denied service or who has a complaint about LOL services may utilize the Client Grievance Procedure. The applicant should contact the managing attorney of the office where the complaint arose for further information.

Standards

STANDARDS FOR ACCEPTING INDIVIDUAL CASES

The need for legal services far exceeds our resources. Therefore, even if the applicant meets the eligibility criteria for financial status and type of legal problem, LOL staff must consider additional factors in making case acceptance decisions.

For accepted cases, LOL attorneys must also determine what type of services to provide. The types of services include:

- * Advice and/or referral.
- * Self-help legal information or clinics.
- * Brief service including investigations and research.
- * Resolution of cases through negotiation and settlement.
- * Representation of clients at hearings before administrative agencies and in state and federal courts.

The decisions regarding (1) whether a case can be accepted and (2) what level of service can be provided are affected by a number of factors including those listed below:

1. Consequences for the Client if no legal assistance is provided.
2. Chances for Success in resolving the problem.
3. The Availability of Other Resources in the community to assist the client with the problem.
4. Availability of Program Resources including:
 - whether staff time is available to handle the case.
 - whether the time required to address the client's problem is reasonable considering the legal issues, the impact on the client, and the amount in controversy.



Problems Handled

TYPES OF LEGAL PROBLEMS HANDLED

Given limited resources, LOL strives to provide assistance to as many clients as possible consistent with providing quality legal services. We handle the types of cases listed below, but we cannot accept every case. (These are not listed in order of priority.) The "Standards for Accepting Individual Cases" on page 5 apply to every request for help.

1. HOUSING LAW

- a. Landlord/tenant disputes (including evictions) from private, public or subsidized housing.
- b. Bad living conditions.
- c. Utility services.
- d. Rights of applicants and residents of housing subsidized by the government.
- e. Rights of tenants of mobile home parks.
- f. Home-ownership issues including mortgage foreclosures and contract for deed problems.
- g. Fair housing issues, such as denials of housing on the basis of race, sex, disability, or the presence of children in the family.

2. CONSUMER LAW

- a. Enforcement of laws regarding proper debt collection practices and procedures.
- b. Enforcement of rights in consumer credit transactions.
- c. Advice and assistance to debtors about their legal rights and options, including bankruptcies when debt prevents a household from providing current necessities.
- d. Assistance in obtaining relief from fraudulent practices.

3. PUBLIC BENEFITS & HEALTH LAW

- a. Denials, terminations or reductions of benefits under Temporary Assistance to Needy Families (TANF), Supplemental Security Income (SSI), Food Stamps and General Assistance.
- b. Denials, terminations or reductions of medical benefits under Medicaid or Medicare.
- c. Claims involving access to adequate medical care and facilities including nursing homes and home health care programs.
- d. Claims involving access to job training programs.

4. COMMUNITY ECONOMIC DEVELOPMENT

- a. Representation of eligible groups on organizational issues, including incorporation, by laws and tax-exempt status.
- b. Representation of eligible groups on specific economic development projects.

5. ELDER LAW AND DISABILITY RIGHTS

- a. Enforcing the rights of persons with disabilities.
- b. Enforcing the rights of residents of long term care facilities.
- c. Guardianship issues involving disabled adults.
- d. Advance directives, living wills, simple wills and powers of attorney for persons over 60 or persons who are terminally ill.
- e. Access to appropriate educational services.
- f. Financial exploitation of persons over 60 years of age.

6. FAMILY LAW

- a. Orders of protection and other legal remedies for family violence victims.
- b. Protection of the elderly from abuse.

- c. Representation of individuals in divorce cases where there has been family violence, including the resolution of custody and child support issues, and in other divorces only as resources permit.
- d. Representation in limited post-divorce, adoption or guardianship cases where representation will promote the safety and security of the children.

The demand for help with family law problems is overwhelming. It is an important need for many low-income clients, and a substantial amount of LOL's available resources is allocated to family law. This is our single largest category of cases. Yet, many persons seeking services in the family area must be turned away or provided with only advice.

In order to offer a range of services in other high-priority areas, our case acceptance policies in the family law area are designed to focus on the most serious family law problems, especially those where the safety and well-being of family members are involved.



APPLYING FOR SERVICES *for Services*

If you are working with or contacted by an individual or family who may need legal assistance, you should refer them to the LOL office serving the county where they live. Depending on the type of legal problem, intake will either be handled by the branch office or by our centralized telephone intake, advice and referral center (LARC). See the back of this booklet for a list of the office addresses and telephone numbers. All offices are accessible to individuals with disabilities and have toll free numbers for client use.

Intake procedures vary slightly from office to office. However, the intake process generally works as follows:

1. The person needing assistance should call the LOL branch office serving the county where he or she lives. LOL offices are open from 9:00 a.m. to 12:00 p.m. and 1:00 p.m. to 5:00 p.m. Monday through Friday. Most of our offices use an automated attendant to answer the phone. The automated attendant message will instruct callers what to do depending on why they are calling.
2. Our branch offices handle all intakes for callers with domestic violence problems or housing emergencies, such as lock-outs and utility shut-offs. Callers with these types of problems will be instructed by the automated attendant to press 0 or 1, and branch office staff will begin the intake process by getting the basic eligibility information.
3. For persons age 60 or over, our offices with special Senior Citizens Legal Services Projects (Champaign, East St. Louis, Mt. Vernon and Springfield) will either handle intake in the branch office or refer the caller to the local Senior Center to schedule an appointment.
4. All other callers who do not currently have an ongoing case in one of the branch offices will be instructed to call LARC between the hours of 9:00 a.m. - 1:30 p.m. Monday through Friday. Because of the high volume of calls to LARC, callers may have to hold for up to 20-30 minutes before speaking to an attorney.
5. If the person cannot be provided legal services:
 - a. Callers who need a private lawyer are referred to the State Bar's referral service or to the Yellow Pages. LOL does not recommend particular private attorneys.

- b. Callers who have other types of problems are referred to other local resources, if available.
4. If initial screening criteria are met, the next steps are:
 - a. If the call is handled by the branch office, the caller will generally be called back or sent a letter for an in-office or telephone appointment. If the client does not have a telephone, a call back time will be arranged.
 - b. If the call is handled by LARC, the client will speak to an attorney over the telephone who will provide advice. If the client qualifies for more than telephone advice, then the LARC attorney will refer the case to the local LOL office and instruct the client to call that office.
5. Depending on the type of problem and other case acceptance factors, the next steps include:
 - * The client may receive advice or brief legal services over the telephone. We may also mail the client written information explaining the law or providing other practical information relating to their problem.
 - * The client may be informed about the dates and times for self-help legal clinics in their area. Most of the clinics cover simple divorce procedures.
 - * If the case handler determines that further services are appropriate, the client will usually be given an appointment to meet with an attorney or paralegal. Some offices may schedule telephone appointments.
 - * After obtaining more information from the client, reviewing any papers, and doing any necessary research, the attorney will discuss any further action with the client.

Problems not Handled

TYPES OF PROBLEMS NOT NORMALLY HANDLED

These are not the only cases we are unable to handle, but they are the most common examples.

| Problems | Other Resources To Try |
|---------------------------|------------------------------------|
| Criminal Matters | Public Defender |
| Mental Commitment Defense | Public Defender |
| Juvenile Court | Public Defender |
| Suit for Money | Private Attorneys (Contingent Fee) |
| Workers' Compensation | Private Attorneys (Contingent Fee) |
| Police Brutality | Private Attorneys (Contingent Fee) |
| Traffic Cases | Private Attorneys. |
| | Appear in court on your own. |
| Probate Matters | Private Attorneys |

EXECUTIVE DIRECTOR'S OFFICE

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Alton, Illinois 62002
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Fax: (618) 462-0043
Website: www.lollaf.org
E-mail: exedir@lollaf.org

ALTON OFFICE

Serving counties:
Adams, Bond, Brown, Calhoun, Greene,
Hancock, Jersey, Macoupin, Madison,
Montgomery, Pike & Schuyler

413 East Broadway
Alton, Illinois 62002
Telephone: (618)462-0029
Toll Free: (800)642-5570
Fax: (618)463-1101
E-mail: alt@lollaf.org

CHAMPAIGN OFFICE

Serving counties:
Champaign, Ford & Vermilion

1817 South Neil Street, Suite 203
Champaign, Illinois 61820
Telephone: (217) 356-1351
Danville only: (217) 442-4141
Toll Free: (800) 747-5523
Fax: (217) 356-7621
TDD: (217) 356-0684
E-Mail: champaign@lollaf.org

DECATUR OFFICE

Serving counties:
DeWitt, Macon, Moultrie, Piatt &
Shelby

132 South Water, Suite 601
Decatur, Illinois 62523
Telephone: (217) 423-0516
Toll Free: (800) 747-2099
Fax: (217) 423-0559
E-Mail: decatur@lollaf.org

EAST ST. LOUIS OFFICE

Serving counties:
Monroe & St. Clair

327 Missouri Avenue, Suite 300
East St. Louis, IL 62201
Telephone: (618) 271-9140
Fax: (618) 874-6914
Email: eaststlouis@lollaf.org

MATTOON OFFICE

Serving counties:
Clark, Coles, Crawford, Cumberland,
Douglas, Edgar, Effingham, Fayette,
Jasper

80 Broadway, Suite 202
Mattoon, Illinois 61938
Telephone: (217) 235-4063
Toll Free: (800) 252-4124
Fax: (217) 235-4072
E-Mail: mattoon@lollaf.org

M T . V E R N O N O F F I C E

Serving counties:

Clay, Clinton, Edwards, Franklin,
Hamilton, Jefferson, Lawrence, Marion,
Richland, Wabash, Washington, Wayne
& White

409 Harrison

Mt. Vernon, Illinois 62864

Telephone: (618) 244-0235

Toll Free: (800) 642-3374

Fax: (618) 244-9293

E-Mail: mtvernon@lollaf.org

M U R P H Y S B O R O O F F I C E

Serving counties:

Alexander, Gallatin, Hardin, Jackson,
Johnson, Massac, Perry, Pope, Pulaski,
Randolph, Saline, Union & Williamson

489 Health Department Road

P.O. Box 424

Murphysboro, Illinois 62966

Telephone: (618) 684-2282

Toll Free: (800) 642- 5335

Fax: (618) 684-3738

S P R I N G F I E L D O F F I C E

Serving counties:

Cass, Christian, Logan, Mason,
Menard, Morgan, Sangamon & Scott

730 East Vine Street, Suite 214

P.O. Box 2206

Springfield, Illinois 62705

Telephone: (217) 753-3300

Toll Free: (800) 252-8629

Fax: (217) 753-8291

E-Mail: springfield@lollaf.org

LEGAL ADVICE AND REFERRAL CENTER

Serving all 65 counties

327 Missouri Ave., Suite 520

East St. Louis, IL 62201

Telephone: (618) 874-8214

Toll Free: (877) 342-7891

Fax: (618) 874-8230

E-mail: larc@lollaf.org

E-mail: murphysboro@lollaf.org

Outside back cover needs LSC and
United Way Logos (and maybe the map?)



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