

#1



Legal Center for the Elderly

A.L. Hamilton, Attorney
Diana B. Steele, Attorney

Vox: (530) 621-6154
Fax: (530) 295-2657

El Dorado County, Department of Human Services
Doug Nowka, Director

937 Spring Street
Placerville, CA 95667

February 27, 2009

TO: BOARD OF SUPERVISORS

Re: Senior Legal Services and Elder Protection Unit
Presentation on March 3, 2009 at 10:00 a.m.

Dear Supervisors:

The attached presentation of Senior Legal Services has been prepared to highlight the various services provided by our department.

Senior Legal Services and the Elder Protection Unit are pleased to have this opportunity to present our services to the Board. Our goal is to continue to help needy seniors that live in our great County.

Very truly yours,

A.L. Hamilton

Diana B. Steele

Submitted by A.L. Hamilton
#1
at Board Hearing of 3.3.09



Senior Legal Services

A.L. Hamilton, Attorney
Diana B. Steele, Attorney

Vox: (530) 621-6154
Fax: (530) 642-9233

El Dorado County, Department of Human Services
Doug Nowka, Director

937 Spring Street
Placerville, CA 95667

YEARLY STATISTICS FOR SENIOR LEGAL SERVICES

2300 client appointments
100 home/hospital/nursing facility visits by attorneys/notary
10,000 phone calls to staff

Profile of our clients:

60 yrs – 64 yrs	21%	or 483
65 yrs – 75 yrs	43%	or 989
75 yrs – 84 yrs	24%	or 552
84+ yrs	12%	or 276
Female	58%	or 1334
Male	42%	or 966
Minority	5%	or 115
Low income	48%	or 1104
Lives alone	34%	or 782
Frail/disabled	13%	or 200

Profile of services provided:

Legal advice only*	46%	or 1058
Document Preparation and Phone calls	52%	or 1196
Court representation	2%	or 46
Number of notarizations		1000

Types of Cases Opened:

Consumer Finance/Debt/Contracts/Warranties	12%
Grandparent Visitation/Conservatorship/Family Law	2%
Medi-Cal/Medicare	7%
Evictions/Foreclosures/Mortgage issues	11%
Social Security/SSI/ Pensions	4%
Elder Abuse/Restraining Orders/Financial Fraud/Scams	5%
Probate avoidance trusts and wills/Review of documents	22%
Powers of Attorney for Health and Finance	27%
Affidavits/Assistance related to death of spouse	10%

*Statistics for in-person appointments only. Does not include phone consultations.

WE SERVE SENIORS WHO LACK THE RESOURCES TO HIRE PRIVATE LEGAL ASSISTANCE FOR SITUATIONS SUCH AS.....

1. Financial Abuse -

Geraldine is 86 years old and lives alone on a fixed SS income. She began receiving threatening phone calls from a collection firm demanding \$1200 for a credit card she had never owned. She had never received any statements, bills, or demand letters. Eventually the collection firm filed a law suit, and Geraldine came to SLS. We represented her and eventually got the fraudulent debt cleared from her record. We see many of these cases where innocent seniors lack the resources to defend themselves.

2. Consumer Finance -

Wayne is 80 years old and lives alone. His house is his only asset. He applied for a home equity loan with a large corporation for \$40,000 to pay credit card debts. He never received the money. His house was being threatened and his credit ruined. The mortgage holder will not return his calls. He could find no attorney he could afford to help him fight such a big firm. He came to SLS. SLS is now co-counsel with a firm in San Diego that specializes in mortgage fraud, and together a suit has been filed.

3. Public Benefits Assistance -

Sara is 78 years old and lives in a trailer in Pollock Pines. She has been on Medi-Cal/SSI/Medicare for many years. She was suddenly denied benefits because of an administrative accounting error that she could not rectify. SLS appealed the ruling and her benefits are now restored.

4. Foreclosures -

Patricia is 66 years old and lives alone in Cameron Park. She refinanced her house and made all payments timely, having receipts for every payment. Wells Fargo foreclosed on the property, claiming no payments had been made, and would not accept her proof nor discuss it with her. SLS filed a law suit and settled the case in the client's favor.

5. Fraud -

Lavonne is 79 years old and lives alone in Georgetown. Her house is her only asset. She was tricked into signing a grant deed, transferring her house to a stranger claiming to be a real estate investor, being told and thinking she was signing a right of first refusal document. SLS filed a law suit, settled, and the courts voided the deed.

6. Evictions -

Robert is 89, a disabled veteran, and lives in a small apartment in So. Lake Tahoe on a fixed income. He has lived in the same apartment for 5 years and has never missed a payment. His income check was lost in the mail and had to be re-issued, resulting in his first late payment. His landlord served him with eviction papers, unwilling to discuss the problem with him. SLS investigated and then negotiated with the landlord to give him more time for payment.

7. Restraining orders -

Bill is a 69 year old retired veteran suffering from hepatitis with only a few months to live. He lives on a fixed income in an apartment in Shingle Springs. A relative moved in as a caretaker, then moved her boyfriend in when he got out of jail. They took over the apartment, forced Bill to live in the back bedroom, and threatened to beat him if he told anyone. SLS worked to get restraining orders against them both and have them evicted. SLS also connected him with county and veterans services to assist him.

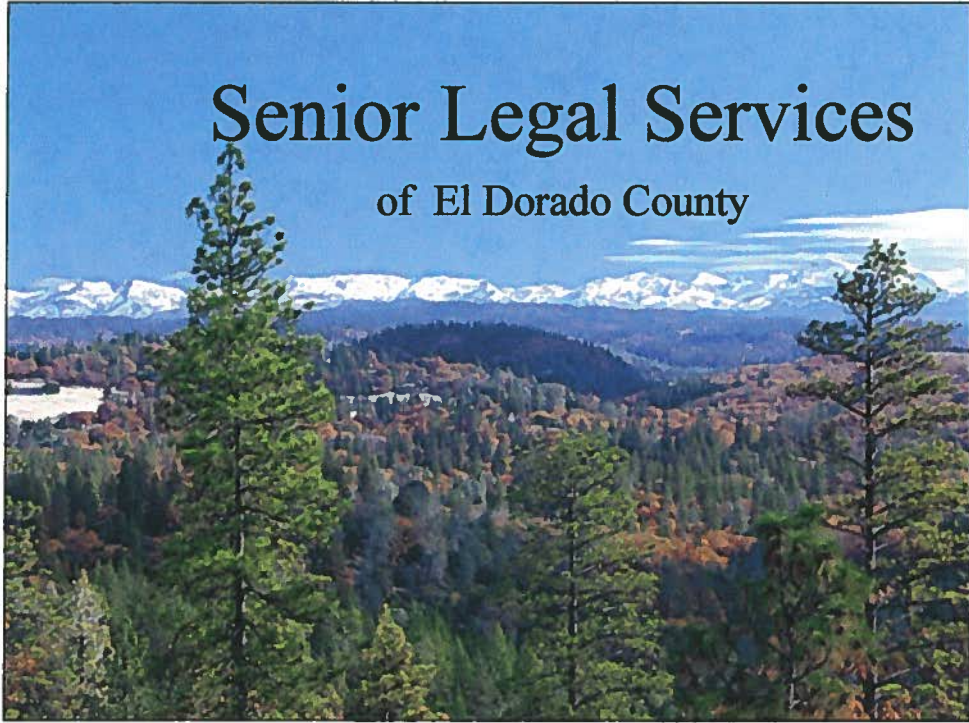
8. Estate documents -

Rose is 82 and suffering from terminal rheumatoid arthritis. She owns her tiny home but has no other assets. She is housebound, in a wheelchair, and living on a fixed income. She called and asked SLS to review her trust before she died. SLS went to her home and advised her regarding some changes to her documents, prepared the changes, and returned with a notary to have the documents signed, then took the documents to the recorder clerk for filing.

9. Assistance After Death of Spouse -

Eleanor is 91 and recently lost her husband of 70 years. She lives on a fixed SS income. They had no children nor any close relatives. Her husband was the sole manager of their finances and she had no financial experience nor any skills. Their home was in the husband's name alone, so SLS represented her in a court hearing to have the house transferred to her name. SLS sorted her papers and documents, making phone calls and sending out notices, preparing affidavits of death, getting her assistance from other county programs, and preparing her own will and trust and powers of attorney documents.

Senior Legal Services of El Dorado County



Providing Legal Help for El Dorado County Seniors

Thanks to the El Dorado County Area Agency on Aging
and the El Dorado County Board of Supervisors



OUR CLIENTS.....

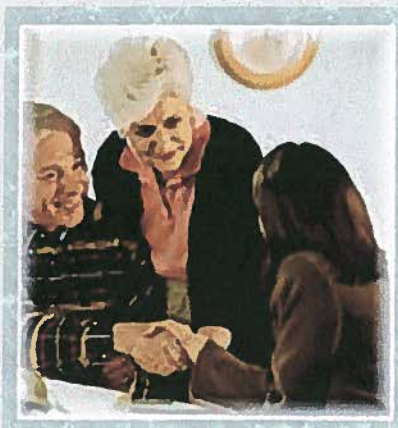
We provide services for
El Dorado County seniors
who otherwise
could not afford
legal protection, representation,
documents or advice.

Our Mission.....

1. Provide high quality personal legal assistance for all El Dorado County seniors and elderly, focusing on low-income and vulnerable.
2. Provide legal services for clients in county programs such as Adult Protective Services, LTC Ombudsman, Family Caregivers Support, MSSP, and Linkages
4. Educate citizens in the county through seminars and workshops.
5. Supervise and serve on the Elder Protection Unit.



1. Personal Legal Assistance With...



- **Public Benefits**
Social Security, Medicare and Medi-Cal
- **Consumer Issues**
Fraud, contracts, loans, debts
- **Health Care**
Insurance, long-term care planning
- **Real Property**
Home ownership, easements, landlord/tenant problems, evictions
- **Abuse and Exploitation**
Restraining orders, financial fraud and abuse, domestic violence and neglect by caretakers and others
- **Estate Planning**
Simple wills, trusts, POAs, summary probate

Services Provided

- Information, legal research and advocacy
- Counseling and advice
- Mediation and litigation
- Home and hospital visits
- Assistance with court hearings
- Prepare and review legal documents
- Support and assistance for widows/widowers
- Notarization
- Phone consultation

Legal Services for Clients in other County Programs

- Adult Protective Services –
We represent the abused adults in restraining orders, evictions, and financial fraud
- LTC Ombudman program
- Family Caregiver Support
- MSSP
- Linkages
- Housing
All utilize our services to assist their clients with legal problems and provide educational programs.

Our Goal Is To Solve Problems

We work hard to bring adverse parties together to form mutually-satisfactory agreements through...

- Letters and calls
- Meetings
- Mediation
- Counseling



2. Citizen Education Through Seminars and Workshops

- Free seminars and workshops for public and private groups of any size at any time.
- Topics:
 - Avoiding Scams and frauds
 - POAs and Health Care Directives
 - Planning and Paying for Long Term Care
 - Simple Wills and Trusts
 - County Legal Services and Elder Protection Unit



We Speak To Many Groups...

- Senior Health and Education Program
- Family Caregiver Support Groups
- Senior Health Fairs
- Lions Club
- Georgetown Health Care Auxiliary
- Gold Country
- Parkinson's Support Group
- Senior Centers
- Community Centers
- Local radio and TV
- Alzheimers Conference
- Eskaton
- Convalescent homes
- Church organizations

3. Elder Protection Unit Fighting for Victims of Elder Abuse



- Multidisciplinary and coordinated approach to identify, reduce, and prosecute the incidence of financial and physical abuse of seniors in our county.
- Includes District Attorney, County Counsel, Senior Legal Services, Adult Protective Services, Public Guardian, LTC Ombudsman, and others.

<u>Clients per Year</u>	
Client Appointments	2300
Home/Hospital/Nursing facility visits	100
Phone calls to staff	10,000
Low income clients served	1100 or 48%
Advice only <small>(office visits only, phone calls not included)</small>	1058 or 46%
Document preparation and/or calls	1196 or 52%
Court representation	46 or 2%
Notarizations	1000
 <u>Types of services</u>	
• Consumer Debt/Contracts/Warranties	12%
• Grandparent Visitation/Conservatorships/Family Law	2%
• Medi-Cal/Medicare	7%
• Evictions/Foreclosures/Mortgage issues	11%
• Social Security/SSI/Pensions	4%
• Elder Abuse/Restraining Orders/Financial Fraud	5%
• Probate-avoidance trusts/Wills/Document Review	22%
• Health Care Directives and Financial POAs	27%
• Affidavits/ Assistance related to death of spouse	10%



Special Services for
Our Clients...

- **Attorney and notary visits to homes, hospitals and nursing facilities.**
- **Office appointments in Placerville, South Lake Tahoe and El Dorado Hills.**
- **Phone consultations.**
- **Assistance filling out forms and making business-related phone calls.**



To Obtain Services
You Must Be.....

60+ years old and
a resident of El Dorado County.

We are located at the Senior
Center in Placerville.



Community support is an integral part
of making our services possible.

Our donation program averages about
\$2000 per month.

Senior Legal Services

- Protecting the independence and dignity of our seniors.
- Providing legal advice, advocacy and assistance.



Our Staff



**Al
Hamilton
Attorney**



**Diana Steele
Attorney**



**Julie Byrne
Paralegal**

Photo Credits

- Slide # 1 "Fall View of Sierra Nevada Mountains" Great Bicycle Rides in El Dorado County
- Slide #2 "El Dorado County Courthouse on Main Street, Placerville," Sherry Bahlman
- Slide # 3 "Historic Bell Tower on Main Street, Placerville #2" westernmininghistory.com
- Slide #11 "North Fork Cosumnes River" Kathy Fisher
- Slide # 12 "Birds on Forebay Lake" Tony Belli
- Slide # 13 "Morning Over Sierra Mountains" Bill Groce