



## 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 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 focused and 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, but are intended to assist dLCV to use its resources most effectively.

**Within these Goals and Focus Areas, dLCV uses case selection criteria to decide the level of service that will be provided.** In selecting cases for direct representation, preference will be given, where appropriate, to those individuals who exercised self-advocacy through technical assistance or short term assistance provided by dLCV. These 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 are the disAbility Law Center of Virginia’s strategic plan of action. They are the guidelines by which the dLCV determines the level of advocacy 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, 2021 – September 30, 2022

### **1 - People with Disabilities are Free from Harm in Adult Institutions**

#### **People with disabilities are free from harm in adult institutions**

We monitor conditions in adult institutions and investigate selected instances of death, serious injury, or abuse or neglect, 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 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 discharges.

#### **Children in PRTFs are Free from Unreasonable Barriers to Discharge and Community Integration**

We assist children with disabilities in PRTFs to receive appropriate mental health, educational, and vocational services necessary to live in the community.

#### **Children and youth with disabilities receive appropriate services in juvenile justice facilities**

We advocate for children in juvenile justice facilities to receive appropriate mental health, educational and vocational services.

#### **Programs Licensed by DBHDS will be safer and more inclusive due to dLCV's monitoring**

We review reports of critical incidents to identify systemic conditions that adversely affect health, safety or welfare, investigate selected allegations of abuse or neglect, and seek corrective action.

### **2 – Children and Youth with Disabilities Receive an Appropriate Education**

#### **At Risk Children and youth with disabilities receive appropriate educational services in the least restrictive environment**

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

#### **Families have increased access to effective self-advocacy and peer advocacy resources in special education**

We promote self-advocacy through training and support of parents and advocates, and access to effective Special Education resources.

### **3 – People with Disabilities Have Appropriate Access to Government Services**

#### **Government programs remove both architectural barriers as well as barriers to service and provide reasonable and appropriate accommodations**

We seek equal access to government buildings and programs under Title II of the Americans with Disabilities Act and the Rehabilitation Act.

#### **People with disabilities have equal access to vote**

We advocate for individuals with disabilities to have a barrier free voting process. We also provide training and education on voting rights to the community.

#### **Social Security recipients who have representative payees are free from exploitation**

We conduct reviews of Representative Payees on behalf of Social Security, investigate allegations of abuse, neglect or financial exploitation, and seek corrective action.

#### **4 – People with Disabilities Live in the Most Appropriate Integrated Environment**

##### **People with mental illness are appropriately discharged in a timely fashion from state facilities to appropriate community placements**

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 through supported decision-making and alternatives to guardianship.

##### **People with disabilities have equal access to public accommodations**

We seek equal access to public accommodations and services under Title III of the Americans with Disabilities Act

#### **5 – People with Disabilities are Employed to their Maximum Potential**

##### **People with disabilities receive appropriate vocational rehabilitation services and employment supports**

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

##### **People with disabilities access supports and benefits for community integrated 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.

#### **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 appropriate in-person and remote access to necessary healthcare services**

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.

#### **7 – People with Disabilities Become Better Self Advocates 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 underserved populations**

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

##### **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 advances legal rights through its amicus program**

dLCV seeks to inform and educate the courts on issues that will have a substantial effect on the rights of Virginians with disabilities.

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

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