

# LAND OF LINCOLN

LEGAL ASSISTANCE FOUNDATION, INCORPORATED



## About Our Services



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## **OUR 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.

## **OUR 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 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.
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## **WHAT IS LAND OF LINCOLN LEGAL ASSISTANCE FOUNDATION?**

Land of Lincoln Legal Assistance Foundation, Inc. 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. Land of Lincoln is governed by its own Board of Directors made up of attorneys and eligible clients who live throughout our 65-county service territory.

Land of Lincoln 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 Land of Lincoln funders include the Lawyers Trust Fund, the Illinois Equal Justice Foundation, Illinois Attorney General, Illinois Department of Human Services, U.S. Department of Housing and Urban Development, United Way of Greater St. Louis and its Tri-Cities Area and Southwest Illinois Divisions, the Illinois Criminal Justice Information Authority, and Area Agencies on Aging.

Land of Lincoln attorneys provide a full range of civil legal services. Client communications with Land of Lincoln staff are confidential and protected by attorney-client privilege. Land of Lincoln 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 Land of Lincoln office.

Land of Lincoln operates five regional offices Central (East St. Louis), Eastern (Champaign), Northern (Springfield), Southern (Carbondale), and Western (Alton); three satellite offices (Charleston, Decatur, Mount Vernon); and a centralized telephone intake, advice and referral center called the Legal Advice & Referral Center (LARC).

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

## 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

### 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, 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, we will refer you to the Illinois State Bar Association's lawyer referral service at 800-922-8757 for the name of an attorney who can help you for a fee, or you may check the telephone book or internet for the legal aid office serving his or her area.

### TYPE OF LEGAL PROBLEM

We handle only certain kinds of **civil** cases. (See Types of Legal 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 on page 11).

### CONFLICT OF INTEREST

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

## FINANCIAL ELIGIBILITY

- \* **Income:** Financial eligibility is based on **gross** (before deductions) income from all sources and from all persons residing in the household. Household income generally may not exceed 125% of the federal poverty level. But, if an applicant's income is less than 200% of poverty and other factors or expenses (such as taxes, child care costs, work-related transportation, or certain medical expenses) are present, then the applicant may also be eligible. For legal problems related to government benefit programs such as Supplemental Nutrition Assistance Program (SNAP), welfare benefits, public housing, and medical assistance, income may not exceed 200% of the federal poverty level.
- \* **Asset Limits: In general, the household may not have assets over \$5,000 in value.** The client's home, vehicles used for transportation, household goods and furnishings, clothing and work-related equipment, life insurance, retirement plans, burial plots, and burial plans 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 or that one of the group's principal activities is serving low-income persons.
- \* **Persons age 60 and over** are eligible for Land of Lincoln's services regardless 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 Land of Lincoln offices provide assistance to persons whose income is greater than 125% of the federal poverty level, or have assets in excess of \$5,000. These contracts include services for persons who are seniors or residents of long term care facilities.

## 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 our services may utilize the Client Grievance Procedure. Information about the procedure and a complaint form are available on our website, [www.lollaf.org](http://www.lollaf.org). The applicant or client can also contact the managing attorney of the office where the complaint arose for further information.

## 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, Land of Lincoln staff must consider additional factors in making case acceptance decisions.

For accepted cases, Land of Lincoln 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 investigation 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.

## **TYPES OF LEGAL PROBLEMS HANDLED**

Given limited resources, Land of Lincoln 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. Unsafe 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, contract for deed problems, and predatory lending.
- g. Fair housing issues, such as denials of housing on the basis of race, sex, disability, the presence of children in the family, or other illegal factors.
- h. Bankruptcy protection to preserve or obtain housing.

### **2. CONSUMER LAW**

- a. Enforcement of laws regarding proper debt collection practices and procedures.
- b. Enforcement of rights in consumer credit transactions.
- c. Enforcement of exemption rights.
- d. Assistance in obtaining relief from fraudulent practices, including consumer fraud and predatory lending.
- e. Relief for victims of identity theft.
- f. Bankruptcy protection to preserve or recover client income or assets.



### **3. HEALTH AND ECONOMIC SECURITY**

- a. Assistance in obtaining or preserving benefits under Temporary Assistance to Needy Families (TANF), Supplemental Nutrition Assistance Program (SNAP), and General Assistance.
- b. Supplemental Security Income (SSI)/Social Security Disability Insurance (SSDI) eligibility, termination, and overpayments.
- c. Enforcement of employee rights.
- d. Expungement and sealing of criminal records.
- e. Discharge of student loans.
- f. Assistance in obtaining or preserving benefits under Medicaid.
- g. Assistance in obtaining or preserving services under the home and community-based waiver programs.
- h. Prevention of institutionalization of individuals who will benefit from home and community based waiver programs.
- i. Bankruptcy protection to promote economic security.

### **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 economic development projects benefiting low-income persons or communities.

### **5. ELDER LAW AND DISABILITY RIGHTS**

- a. Protection of seniors and persons with disabilities from abuse, neglect, fraud, undue influence and financial exploitation.
- b. Promotion of independence of seniors and persons with disabilities.
- c. Enforcement of the rights of residents of supportive living centers and long term care facilities (not all offices).
- d. Guardianship issues involving disabled adults.

- e. Simple wills and powers of attorney for persons age 60 and over, or persons referred through a Medical-Legal Partnership, or a grant through a County Health Department (not all offices).
- f. Bankruptcy protection to preserve or recover income and assets, and to promote stability and relieve stress.

## 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. Other divorces or custody cases where the historical custodian of the child(ren) is threatened with loss of custody.
- e. Representation in limited post-divorce, adoption or guardianship cases where representation will promote the safety and security of the children.
- f. Bankruptcy protection to provide significant relief which will help establish financial security and independence from the adverse party.

**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 Land of Lincoln'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.

## 7. **EDUCATION LAW**

- a. Claims involving educational services for children with disabilities.
- b. Discipline, suspension or termination from school.
- c. Enforcement of children's educational rights.

## APPLYING FOR SERVICES

If you are working with or contacted by an individual or family who may need legal assistance, you should generally refer them to our Legal Advice and Referral Center (LARC), our centralized telephone intake, advice and referral center. If the applicant is a victim of domestic violence and seeking an Order of Protection, he or she should call the office serving the county where he or she lives or the county where the dispute is filed. In addition, if the applicant is age 60 or over, he or she should call the office where he or she lives. (See pages 12-13 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.

**To apply for services, the person who needs legal help should call the Legal Advice and Referral Center at 877-342-7891.** LARC takes calls from 9:00 a.m. until 4:00 p.m. Monday through Thursday and 9:00 a.m. until 1:30 p.m. on Friday.

**If you are a homeowner in danger of losing your home, have debt collection or consumer rights issues, you should call our Homeowners, Consumer Rights and Debt Collection Hotline at 855-601-9474.** This hotline is available from 9:00 a.m. until 4:00 p.m. Monday through Friday.

You can also apply for help online by visiting our website at [www.lollaf.org](http://www.lollaf.org) and clicking “Applying for Help” on the main page.

**Victims of domestic violence seeking an Order of Protection should call the regional office that serves the county in which the caller lives or where the dispute is filed. For individuals 60 or over, he or she should call the office where he or she lives.**

- Land of Lincoln regional 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 a telephone automated attendant. The caller should listen carefully to the message. He or she will be told what to do depending on the kind of legal problem.
- **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 regional office or refer the caller to the local Senior Center to schedule an appointment.
- **LARC gets a lot of calls**, so the caller may have to wait to speak to an attorney. The caller will be given the option to hang up, keep his or her place in line, and be called back when an attorney is available.
- If the caller has papers from a court, government agency or other person such as a landlord, they should be handy. A recent pay stub will also be helpful.

**If the person cannot be provided legal services:**

- a. Callers who need a private lawyer are referred to the State Bar's referral service, Illinois Lawyer Finder at 800-922-8757, or to the Yellow Pages. **Land of Lincoln does not recommend particular private attorneys.**
- b. Callers who have other types of problems are referred to other local resources, if available.

**If initial screening criteria are met, the next steps are:**

- a. **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 regional Land of Lincoln office and instruct the client to call that office.
- b. **If the call is handled by the regional 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.

**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.

## TYPES OF PROBLEMS NOT HANDLED

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

<b>Problem</b>	<b>Other Resources to Try</b>
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

## Offices

### **Legal Advice and Referral Center**

Dorothy O. Cook Community Law Center  
8787 State Street, Suite 202  
East St. Louis, IL 62203  
Serving residents in all 65 counties.

General Civil Legal Assistance  
(618) 394-7300  
(877) 342-7891 Toll Free

Legal Help for Homeowners  
Consumer Rights and Debt Collection  
(855) 601-9474 Toll Free

### **Western Regional Office (Alton)**

310 Easton Street  
Suite 330  
Alton, IL 62002  
(618) 462-0029; (800) 642-5570  
Serving residents in Adams, Bond, Brown, Calhoun, Greene, Hancock, Jersey, Macoupin, Madison, Montgomery, Pike, and Schuyler Counties.

### **Southern Regional Office (Carbondale)**

First Mid-Illinois Bank & Trust Building, Third Floor  
509 South University Avenue  
Carbondale, IL 62901  
(618) 457-7800; (800) 642-5335  
Serving residents in Alexander, Clay, Edwards, Franklin, Gallatin, Hamilton, Hardin, Jackson, Jefferson, Johnson, Lawrence, Marion, Massac, Perry, Pope, Pulaski, Richland, Saline, Union, Wabash, Wayne, White and Williamson Counties.

### **Mt. Vernon Office (satellite office)**

1004 Main Street  
Mt. Vernon, IL 62864

**Eastern Regional Office (Champaign)**

302 N. First Street

Champaign, IL 61820

(217) 356-1351; (800) 747-5523

Serving residents in Champaign, Clark, Coles, Crawford, Cumberland, DeWitt, Douglas, Edgar, Effingham, Ford, Jasper, Moultrie, Piatt and Vermilion Counties.

**Charleston Office (satellite office)**

737 Windsor Road

Charleston, IL 61920

**Central Regional Office (East St. Louis)**

Dorothy O. Cook Community Law Center

8787 State Street, Suite 101

East St. Louis, IL 62203

(618) 398-0958

Serving residents in Clinton, Fayette, Monroe, Randolph, St. Clair, and Washington Counties.

**Northern Regional Office (Springfield)**

3085 Stevenson Drive, Suite 202

Springfield, IL 62703

(217) 529-8400; (800) 252-8629

Serving residents in Cass, Christian, Logan, Macon, Mason, Menard, Morgan, Sangamon, Scott and Shelby Counties.

**Decatur Office (satellite office)**

132 South Water Street, Suite 442

Decatur, Illinois 62523

**Administrative Offices**

Dorothy O. Cook Community Law Center

8787 State Street, Suite 201

East St. Louis, IL 62203

(618) 398-0574