

# Getting Older, Getting Better

## SeniorLAW Center Celebrates Thirty Years of Helping Underprivileged Senior Citizens

**T**he year is 1978. Gasoline costs 63 cents a gallon. *The Deer Hunter* wins the Oscar for Best Picture. *Laverne and Shirley* is the #1 TV show. Nine-hundred Jim Jones followers die in murder-suicide in Guyana. A first-class stamp costs 13 cents. The Dow Jones high is 893. Jimmy Carter is president. Terry Bradshaw is NFL MVP. Gambling is legalized in New Jersey. Life expectancy is 73.5 years. And an organization to serve the legal needs of “The Greatest Generation” is founded in Philadelphia.

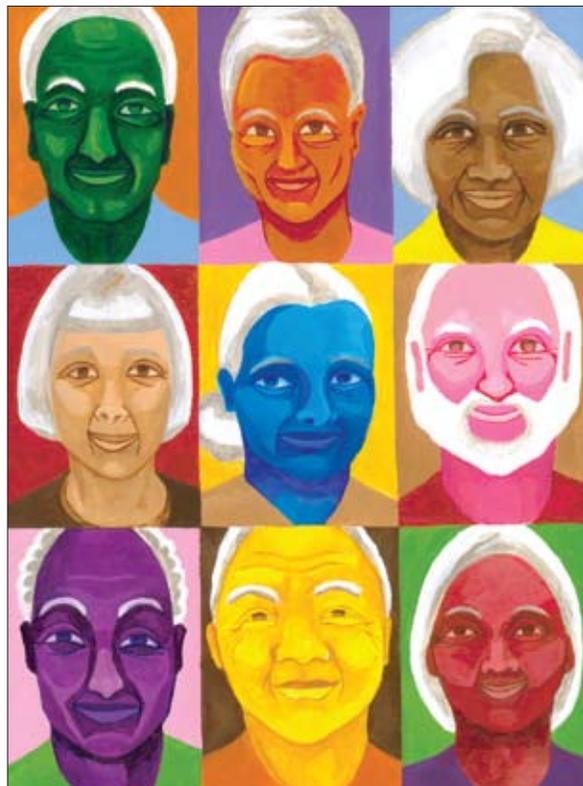
Three decades ago, a legal services project called the “Senior Citizen Judicare Project” (nicknamed “Judicare”) was founded by Philadelphia Bar Association leaders Kenneth Shear and Paul Carlin. The project would serve a small segment of Philadelphia and its senior citizens, with a staff of two and a call for volunteer attorneys. Services would be free; volunteers would be paid small fees for their work. Philadelphia needed it, being home to one of the largest and poorest senior populations in the country.

It was a legal experiment. And it worked.

Today, Judicare is the thriving SeniorLAW Center, serving more than 10,000 seniors each year. A dedicated staff of fifteen, with the help of a volunteer attorney panel, provides core legal services and eight special programs, including a Homeowners Assistance Program, Project S.A.F.E. (Stop Abuse and Financial Exploitation), The Homebound and Disabled Elder Program, bilingual bicultural Asian and Latino Projects, Consumer and Tenants’ Rights programs, six community legal clinics, and The Hospice Legal Project. SeniorLAW Center now reaches out to the entire commonwealth of Pennsylvania through its SeniorLAW HelpLine. We have received national recognition by the American Bar

Association and the U.S. Administration on Aging. It is an organization of which this legal community deserves to be proud. All of its services are still free and are needed now more than ever as life expectancy continues to increase.

SeniorLAW Center is proud to serve those who played a great part in building our country, often called the Greatest Generation. They experienced and endured many



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of the defining moments of American history. These are our clients: elders, from 60 to 100 or more years old. This is a generation, now almost two, of older Americans who have served and worked most of their lives, many of whom now live on fixed incomes, often isolated, and are frequently targets of fraud, exploitation and abuse.

We at SeniorLAW Center are proud to celebrate in 2008 our thirtieth year of serving and protecting the rights of this population,

which today constitutes 2,400,000 Pennsylvanians. According to the Pennsylvania Department of Aging and census data, by the year 2020, one in every four Pennsylvanians will be 60 or older. Philadelphia alone has the largest percentage of seniors among the ten largest cities in the country. Senior citizens, elders, the elderly, the aged, older Americans — the designation stirs different feelings and stereotypes in all of us. No matter the title, we overlook our older population *at our peril*.

Our mission at SeniorLAW Center has always been to ensure that our clients’ voices and interests are heard, by providing advocacy and access to justice. To date, we have served well over a quarter-million seniors — with individual legal representation; with empowering and preventive community legal education; with legal advice, information and referral services; and with systemic advocacy.

We save homes, provide protection from abuse and exploitation, enable seniors to plan for their health and end-of-life care, strengthen economic security, and enable children to live in safe, nurturing intergenerational families. Our mixed model of an experienced legal services staff of attorneys and advocates bolstered by a pro bono program strengthens our quest to protect as many seniors as possible. We are widely accessible by phone, walk-in intake, Web site, electronic newsletter, six community legal clinics, and a statewide HelpLine (877-PA SR LAW). As a nonprofit organization providing free services to all, demand outstrips resources by the thousands. Our legal services range from fighting foreclosure, contractor fraud and financial exploitation and representing elderly tenants facing eviction and homelessness, to representing grandparents in custody actions so that they may raise their grandchildren, many of whom

have been abandoned, neglected or abused. We write advance health-care directives, powers of attorney and simple wills, represent older victims of domestic violence to obtain protection from abuse, fight for consumers facing collection actions for debts that are not theirs and against loans and charges that are predatory. We counsel and advise on public benefits, grandparents’ rights, pensions, Medicaid Estate Recovery and other key issues affecting seniors’ and

their families' lives and economic security.

Our clients find us easily and in great number: through our extensive outreach and legal education workshops, through long-held partnerships and leadership in the aging, medical and legal services community, and our many publicity efforts, including in Spanish language, community and national media, and, increasingly, through our Web site. Make no mistake: many seniors are indeed Internet-savvy.

We are proud to know that our clients have become as diverse as our city: As young as 60, as old as 108, they are white, black, Chinese, Hispanic, Russian, Vietnamese, African, Native Americans and new Americans. Some are well-educated, some are illiterate. Some are studying tai chi; others are facing terminal illness in hospice.

The stories our clients present compel action:

■ The 89-year-old woman, weighing 98 pounds, whose husband beat her so fiercely that he fractured her skull. She sought our help in making the difficult decision to seek protection and leave a violent marriage at this late stage in her life.

■ The 78-year-old gentleman who hired and paid a contractor to make critical repairs to his modest home. The contractor promptly took this gentleman's life savings and disappeared, as this elder's roof continued to deteriorate, quickly making the home uninhabitable.

■ A grandmother in her late 60s who had taken in and was raising five grandchildren, ages 3 to 13, in her home because her adult daughter's addiction to crack was stronger than her desire to mother her children. She dropped them off, and she never came back.

What has happened in the law in three decades is a tale of accomplishment and continuing challenge. There were no established uniform, minimum standards for nursing homes or basic rights for nursing home residents. Today, the Nursing Home Reform Act establishes patient rights, including the right to treatment to attain the highest practical psycho-social and physical function. There was no Older Adult Protective Services Act that requires services to vulnerable and incapacitated elderly to avoid or eliminate abuse, neglect, exploitation or abandonment. There was no Spousal Impoverishment Provisions under the Medical Assistance Act that prevents the impoverishment of individuals — mostly women with spouses in nursing homes — by guaranteeing a modest but relatively

reasonable income level. And there was no modern guardianship statute that guaranteed procedural due process protections that prevented the unjust and often unnecessary deprivation of an older person's rights and liberties.

Advocates in aging have helped to develop critical tools to allow all of us to make powerful decisions about our lives. Pennsylvania had no durable power of attorney statute to enable an aging individual to avoid guardianship by appointing an agent who can act on his behalf. Today, this tool allows us to decide who will make our medical and financial decisions when we are unable to, instead of giving that right to a court. There was no Living Will statute permitting a terminally ill person to control his or her medical treatment at the end of life. Today, by executing a living will (advance health care directive), we can control whether we want our medical providers to pursue life-sus-

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taining treatments when there is no hope of recovery. We can decide how we die. We can determine what death with dignity means to us individually. This is a powerful right indeed.

Much has been accomplished in the world of law for our elders. But the challenges continue. They include kinship care, with over 2.4 million grandparents in the United States taking primary responsibility for the basic needs of grandchildren whose birth parents cannot, due to death, incarceration, AIDS, illness, addiction or other life crises, according to U.S. Census Bureau reports. They include the faces of older domestic violence victims, not only in long-term care facilities, but in their own homes, as well as financial exploitation, predatory lending, home repair contractor fraud, identity theft, even the attempted theft of homes by fraudulent deeds. For most seniors, living on a limited and fixed income, these practices

are devastating. Long-term care resources and options are limited and limiting; health care choices are overwhelming and often filled with gaps in coverage; advance directives are not consistently honored; ageism, paternalism, isolation, and the "invisibility" of elders continues.

Our mission is more timely than ever.

We invite the legal community to hear the success stories of our work and the beautiful elders we are honored to serve at events throughout 2008. Launched with our MLK Day of Service event with partners Homeless Advocacy Project and Philadelphia VIP, our 30th anniversary celebration continues with our Latino Elders Service Project with Exelon and other community partners, providing free bilingual health care legal services to Spanish-speaking seniors; our partnership with the Phillies' "Seniors Walk the Bases" event this summer; and upcoming grandparents' holiday celebrations and food drives. Our June 12, 2008, gala brought national political commentator James Carville to Philadelphia at the historic Ballroom at The Ben, just months before our national election. We were delighted to have the support of major law firms and corporations for this exciting new event, another first for our organization.

Through this year and beyond, as we look toward addressing the needs of a burgeoning "aging nation," we will raise awareness, sensitivity and knowledge — not only of need but of outcome and impact, celebrating the many contributions of our clients to their families, their communities and to our nation. We work so that our culture will not be known around the globe as one that silences and ignores our elders and their needs. We work to open our eyes and increase awareness to and of the elders in our lives, in our neighborhoods, and in our worlds. They have suffered through hardship, wars, devastation, and anguish, but have also known joy and triumph. They have counsel that today's youth should heed, stories we should listen to, and wisdom we need. Seniors are our history as well as our future. Aging is a universal condition. If we live, we will age. Surely, we want to ensure that justice is on hand when we get there. ■

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