



Idaho Legal Aid Services, Inc.

WHO ARE WE AND HOW CAN WE HELP IDAHO'S SENIORS?

ISSUE SPOTTING CIVIL LEGAL PROBLEMS TO IMPROVE OUTCOMES FOR SENIORS

What is Idaho Legal Aid Services?

- Nonprofit civil law firm
 - No charge for our legal services
- Statewide organization
 - Coeur d'Alene
 - Lewiston
 - Nampa
 - Boise
 - Twin Falls
 - Pocatello
 - Idaho Falls
- Three Free Legal Advice Lines
 - Domestic Violence, Sexual Violence, Stalking, Trafficking
 - Housing and Veterans
 - Senior (60+) and Public Benefits

How to Apply for Services

- Telephone intakes: 208-746-7541 (available Mon-Wed)
 - Interpreters available
- Online intakes: idaholegalaid.org/node/2413/apply-legal-assistance (available anytime)
 - English and Spanish
- Apply in person at one of our 7 regional offices (available Mon-Fri)
 - Interpreters available
- Legal Risk Detector referral for seniors or vulnerable adults: idaholegalaid.org/node/2748/idaho-senior-legal-risk-detector-english-and-spanish-espanol





APPLY FOR HELP

Getting legal help is easier than you might think. Idaho Legal Aid Services has three convenient ways to apply for assistance. You can complete a secure online application, call our intake line, or visit one of our local offices for in-person support. However you choose to reach out, we're here to listen and ready to help.

HOW TO APPLY

SERVICES

Idaho Legal Aid Services helps clients throughout Idaho with services that include information and referrals, as well as representation for legal issues.

SAFE &
STABLE
HOUSING

FAMILY
SAFETY &
STABILITY

ADVOCACY
FOR OLDER
ADULTS

HEALTH &
ESSENTIAL

CONSUMER
PROTECTION

INDIVIDUAL
RIGHTS

Risk Assessment

Instructions

Sunrise: Please ask the client the following questions (feel free to re-phrase in your own words) and provide inputs below based on...

- 1) the client's statements and
- 2) your observations and interpretations of the client's situation

1 of 6: Housing (client rents home)



Regarding your housing, are any of these statement true?

- ☐ I'm getting eviction threats or notices from my landlord.
- ☐ I've received court papers (Summons, Petition, Writ, etc) related to my housing.
- ☐ I don't have a written lease with my landlord
- ☐ I'm behind on my rent payments
- ☐ I may have signed papers regarding my home but I do not know what I signed.
- ☐ I need more heat or hot water.
- ☐ I'm not getting essential services I need.
- ☐ I'm having problems with my neighbor(s) or housemate(s).
- ☐ I'm behind or having trouble paying my water, sewer, or light bill.
- ☐ My house needs repair and my landlord will not make repairs I asked my landlord to make.
- ☐ I want to move out of my home.
- ☐ I cannot fully care for myself.

What Happens After Someone Applies for Help?

- 1) Our intake team screens for eligibility
 - We cannot assist on criminal matters, suits for money damages, immigration matters (unless the client is a DV, SV, or trafficking survivor and needs a visa based on that)
 - Applicants will have to verify: income, assets, and legal status
- 2) Once eligibility is determined, the client will typically be assigned for an initial 30-45 minute phone consultation with one of our attorneys. That attorney can also help with brief service such as assisting with forms or drafting a demand letter.
- 3) If after that call, the attorney determines that the client has a priority case and needs more in-depth assistance, they will refer the case to the client's local office. The local offices hold Case Acceptance Meetings once per week to choose which cases they will take for extended representation.

How Many Cases Can ILAS Staff?

- ILAS currently has 19 attorneys taking cases across our 7 regional offices
 - We have had to reduce our staffing due to federal funding cuts
 - In 2024, ILAS closed 3,166 cases, benefitting over 5,000 adults and over 3,500 children
- An estimated 6,000 eligible Idahoans had to be turned away due to lack of resources
 - We refer these clients to self help and pro se resources on our website and to the CAOs in each judicial district

□ Types of cases we can assist with:

- Legal assistance to survivors of sexual or domestic violence, stalking, or trafficking
 - Examples: Protection orders, divorce, custody, education, employment, housing, public benefits, etc.
- Legal assistance to seniors age 60 and older and vulnerable adults
 - Examples: Medicaid for long-term care, elder abuse or exploitation, evictions/foreclosures, repairs, consumer law, debt collection, powers of attorney and advanced directives, etc.
- Housing
 - Clients must be low-income
 - Examples: Evictions, foreclosures, repairs, security deposits, housing discrimination, etc.
- Migrant Farmworkers
 - Civil legal assistance to those who work in agriculture or food processing
 - Must be low income and must have legal status in the U.S.
- Indian Law
 - Legal assistance to Tribal members (for tribes that we have contracts with)
- Public Benefits
 - Medicaid, SNAP, unemployment, SSI, Veterans benefits

Types of Cases Most Common for Seniors

Health-Care and Planning

- o HCPOAs
- o POAs
- o Living Wills
- o Advanced Directives
- o Miller Trusts
- o Nutrition
- o Adult Protective Services

Long-Term Care

- o N.H. and A.L. Facility Discharges
- o Medicaid

Public Benefits

- o Medicaid; Medicare; Social Security
- o Disability
- o Veterans' Benefits
- o Food Stamps

Estate Planning

- o Simple Wills (very little property)

Decision-Making

- o Guardianships – advice and alternatives only
- o conservatorship
- o Defense of guardianships
- o Assisted decision-making
- o Powers of Attorney

Housing

- o Eviction
- o Age discrimination or other discrimination
- o Utilities
- o Other general housing issues

Consumer Matters

- o Financial Exploitation, Fraud, Scams
- o Bankruptcy
- o Other consumer Issues

Family Law

- o Divorce
- o Grandparent Guardianships
- o Protection Orders

Other

- o Age Discrimination
- o Elder Abuse and Neglect

Common Senior Cases We Cannot Take

- Trusts (except Miller Trusts which are unique to Medicaid eligibility)
- Taxes – real estate, gift, or estate
- Will contests
- Complex Wills
- Representation in Tort (personal injury) or other cases where the main objective is to obtain monetary damages from the other party
- Criminal cases
- Most immigration cases

Hypothetical

- Arthur, 65, has begun forgetting things he has done throughout the day and simple tasks. He sees his primary care physician and his primary care physician diagnoses him early-stage dementia. Arthur does not have a healthcare power of attorney and has not made any plans for distribution of his personal property following his death. He does not own a home and is not married. He has a daughter that lives nearby and visits often. With his recent diagnosis, Arthur realizes he may one day require full-time nursing care.
- What types of legal issues may Arthur have now or in the future?

Legal Issues Arthur May Have Now or Later

- With Arthur's diagnosis, he may, in the future, not have legal capacity to understand or sign legal documents.
- Power of Attorney for Healthcare?
- Financial Power of Attorney?
- Assisted decision making plan?
- A plan to meet Medicaid eligibility limits. A Miller Trust?
- A simple last will and testament to bequeath his personal property and determine his wishes for end of life (burial, cremation, services, etc.)?
- Is Arthur still working? Does he need assistance applying for disability benefits?

Hypothetical

Helen, 74, is a retired schoolteacher living independently in her long-time family home in Boise, Idaho. While her physical mobility is slightly limited due to mild osteoarthritis. Mark, 29, is Helen's nephew. Six months ago, after Mark faced eviction and job loss, Helen kindly invited him to move into her spare bedroom. She viewed it as a temporary favor to help him get back on his feet.

Initially helpful, Mark took over driving her to the bank and grocery store. He persuaded Helen to add his name to her checking account so he could "easily pay the utility bills" for the house. Instead, he used Helen's debit account to pay off his personal credit cards.

When Helen started questioning where her money was going and why her basic monthly bills were falling past-due, Mark became volatile. He subjected her to verbal intimidation, yelling that she was "senile," threatening to move out and abandon her. On one occasion, Mark pushed Helen during the argument and she fell into a nearby chair. She was unhurt but fears for her physical safety.

Helen had recently signed a Power of Attorney drafted by Mark, giving him full control over her home's property deed and access to her finances.

What Legal Issues May Helen Have?

- Was the Financial Power of Attorney legal? Was it entered into legally? Should Helen revoke the Financial Power of Attorney?
- Is Helen a victim of elder abuse? If so, what resources are available to her legally and otherwise?
- Can Helen evict Mark? Is there a lease agreement? What can she do if there's not?
- Can Helen remove Mark's name from her bank accounts?
- Can Helen qualify for a civil protection order against Mark?

Goal for Expanding Services to Seniors - Medical/Legal Partnerships

- Goals: improve health outcomes and reduce re-admissions by improving: Economic stability (food & housing); Built environment (mold, rodents, other housing quality issues); and Health Care access (resolving barriers to Medicaid and LTC coverage)
- Common MLP case types we can currently fund with grants: appeal of food stamp and Medicaid denials; demanding habitability repairs; eviction defense; upgrade veteran discharge status; secure civil protection orders; assist with qualifying for Medicaid LTC coverage, resolve credit report errors
- MLP case types we don't have funding for but can take on a case-by-case basis as our unrestricted funding allows: guardianships for incapacitated and DD adults; guardianships for minors; clearing criminal histories; custody and child support in cases with no DV
 - We are currently looking for grants and other funding sources that could expand on our ability to staff cases for medical partners related to social determinants of health

Online Resources

- Legal Forms - idaholegalaid.org/node/2207/idaho-self-help-forms
 - Examples: Divorce, Custody, Protection order, Demand for repairs, Small claims, Powers of attorney, Letters to debt collectors, Reasonable accommodations
- Educational Videos - youtube.com/@idaholegalaid/videos
 - Housing discrimination, Evictions, Guardianships, Bankruptcy, Medicaid, Powers of attorney
- Chat Bot
 - Helps users find forms and brochures and other content
- Brochures on legal topics
 - Family law, Guardianship, Medicaid, Housing, Consumer law and debt, Wills and Small Estates, Caregivers, etc.

Our Impact

- *"After surviving domestic violence for 5 years, finally seeing my ex go to prison, and a 15-year No Contact Order to keep us safe, I was at a loss for what to do next. I knew I needed help with custody of my baby, and ILAS was recommended to me by WCA to solidify sole custody for whenever my ex is released from prison. I was so anxious constantly, and Drew and Rachel saved my sanity and helped ensure my baby and I are safe from a predator. I have no words for the gratitude I feel every day to ILAS. Thank you from the bottom of our hearts."*
- *"I came to Nampa family Justice Center a shell of a person, completely broken about to lose my children in a divorce and custody battle with someone who was sexually assaulting me and they saved my life. They were absolutely wonderful, devoting so much attention to my children so that I could focus on filling out applications and talking about my case in private without the children overhearing. I am so incredibly thankful for that center and for Nancy being able to take on my case, it's absolutely changed my life for the better and it's kept my children safe and with me."*
- *"I sought help from legal aid through the WCA when my abuser/stalker was trying to appeal a protection order. The support I received made a drastic difference in my emotional and physical safety. I honestly don't know how I would have gotten through that horrifying period of time without them."*
- *"I had the best experience with ILAS. They are super friendly, super helpful, they actually listen to you, and make you feel important. ILAS is one of the best things that happened to me."*
- *"Idaho Legal Aid Services changed my life. I was struggling with some very serious civil rights issues. My lawyer and his team are business casual superheroes. My wife and I could not have had a better start of our new chapter in life. Thank you Idaho Legal Aid."*

Contact Info

- Idaho Legal Aid's website:
 - idaholegalaid.org
- Idaho Legal Aid's Legal Advice Lines
 - 208-746-7541
- Contact info:
 - jennafurman@idaholegalaid.org
 - Reach out to me for: questions about eligible cases; to order brochures; to request a training on a specific topic such as fair housing issues, etc.