

## **DISABILITY LAW COLORADO'S PROGRAM PRIORITIES**

Disability Law Colorado's mission is to protect and promote the rights of people with disabilities and older people in Colorado through direct legal representation, advocacy, education and legislative analysis. Below are the areas we have identified as priorities for the current year. Disability Law Colorado is the state's federally mandated Protection and Advocacy System designated by the Governor.

### **Protection and Advocacy Programs**

***Abuse and Neglect in Facilities*** – We will act to ensure that people with disabilities are free from serious abuse and neglect in facilities, including: jails, prisons, regional centers, day programs, children's residential treatment centers and state mental health institutes. Our work may include:

- Conducting neutral investigations of reports of serious abuse or neglect
- Reviewing investigations of serious abuse or neglect conducted by other agencies mandated to conduct such investigations
- Monitoring facilities serving people with disabilities for incidents of serious abuse, neglect or rights violations
- Individual advocacy to remedy abuse, neglect and rights violations in facilities
- Systemic advocacy, including legislative action, to ensure that adequate systems are in place to protect against abuse, neglect and rights violations in facilities

***Community Integration*** – We will work to ensure that people with disabilities can overcome legal obstacles that either prevent them from leaving an institution to live in the community or put them at risk for institutionalization. Our work may include:

- Systemic advocacy to ensure the State complies with its obligation under *Olmstead* to serve people with disabilities in their least restrictive environment
- Individual representation of people with Intellectual and Developmental Disabilities to ensure they are receiving the Medicaid services to which they are entitled
- Systemic advocacy, including legislative action, to ensure that individuals with disabilities maintain their rights to services and supports that allow them to be served in the community

***Employment*** – We will work with individuals and systemically on legal issues faced by people with disabilities in or entering the workforce. Our work may include:

- Representing individuals with disabilities who are experiencing legal obstacles in working with the Division of Vocational Rehabilitation
- Representing individuals with disabilities who are facing disability discrimination on the job that could affect large numbers of people with disabilities
- Systemic advocacy, including legislative action, to ensure that people with disabilities are free from discrimination in the workplace
- Providing training for employees, employers or other interested groups on the rights of people with disabilities in the employment setting

**Education** – We will work on systemic issues with students with disabilities and their families to ensure that they are receiving appropriate educational services from birth through higher education. Our work may include:

- Individual representation of children birth through age 21 who are not being served in their least restrictive environment, are facing unjust discipline or removal due to their disability or are facing disability harassment at school
- Conducting neutral investigations of reports of serious abuse or neglect in schools, including inappropriate use of restraint or seclusion
- Individual advocacy to remedy abuse, neglect or discrimination issues in schools
- Individual representation of students experiencing disability discrimination or other legal issues based on their disability at institutes of higher education, including issues with the Division of Vocational Rehabilitation
- Systemic advocacy, including legislative action, to ensure that students with disabilities are free from abuse, neglect and discrimination in schools, including inappropriate use of restraint or seclusion
- Providing training for students, parents, educators and administrators on the rights of people with disabilities in education

**Service & Assistance Animals** – We will work on systemic legal issues related to the rights of a person with a disability to use a service or assistance animal. Our work may include:

- Individual representation of people with disabilities who have been unlawfully denied the ability to have an assistance animal in their dwelling
- Individual and systemic advocacy to ensure that businesses open to the public comply with the law requiring access to services for people with disabilities who use a service animal
- Systemic advocacy, including legislative action, to protect and promote the rights of people with disabilities who use service and assistance animals
- Providing training for the community, businesses, housing providers and government entities regarding service and assistance animal laws

**Equal Access** – We will work on systemic legal issues to ensure that people with disabilities living in the community have equal access to housing, services and businesses. Our work may include:

- Individual representation to assist people with disabilities in obtaining reasonable accommodations or modifications in housing
- Systemic advocacy to ensure businesses are complying with disability laws
- Individual and systemic advocacy to ensure equal access to voting systems, polling places, mail ballots and the registration process in both state and federal elections
- Systemic advocacy, including legislative action, to protect and promote the rights of people with disabilities
- Providing training for people with disabilities, service providers, government entities and businesses regarding the rights of people with disabilities

## **State Ombudsman and Legal Assistance Developer Program Priorities**

Protecting and Promoting Rights in Long-Term Supports and Services

***Colorado Long-Term Care Ombudsman and Colorado PACE Ombudsman*** - These programs work to support the legally guaranteed rights to quality care and quality of life for residents of assisted living facilities and nursing homes as well as participants of the Program of All-Inclusive Care for the Elderly (PACE) across Colorado. Our work may include:

- Receiving, investigating and resolving complaints from residents in long-term care facilities or from participants of PACE programs
- Establishing and maintaining presence in long-term care facilities and with PACE programs to assure access by residents and participants to advocacy services
- Providing information and referral and consultation to family members, facility staff and to the general public
- Systemic advocacy, including legislative action, to ensure that residents and participants retain their civil and human rights

***Legal Assistance Developer Program*** - The Legal Assistance Developer provides leadership, training, and technical assistance to the statewide network of legal providers who coordinate free or low cost civil legal services for people age 60 or older. The goal of the Legal Assistance Developer Program is to secure and maintain the legal rights of older individuals as well as develop the state's capacity to improve the quality and quantity of legal services provided to elders. In addition, the Legal Assistance Developer ensures the state's capacity to assist older individuals in :

- Understanding their rights
- Exercising choices
- Benefiting from services and opportunities authorized by law, and
- Maintaining the rights of older individuals at risk of guardianship

## TYPES OF SERVICES OFFERED

In our various programs at Disability Law Colorado, we offer a variety of levels of service in both our Denver and Grand Junction offices.

**Information & Referrals** – We maintain a large bank of resources for callers whose issues do not fall within our priorities or meet our criteria for representation.

**Self-Advocacy Assistance** – Our advocates provide information to assist callers in advocating for themselves regarding their potential legal issue or rights violation.

**Ombudsman Services** – Our Ombudsman programs provide information, support and advocacy assistance for clients in their programs.

**Technical Assistance** – Our staff may provide technical assistance on issue to clients, service providers or other attorneys, advocates or ombudsmen.

**Direct Legal Representation** – If a legal issue falls within our priorities and criteria for representation, an attorney or legal advocate may provide direct legal representation to a client.

**Investigations** – In our Protection & Advocacy programs, we have the authority to conduct investigations into allegations of abuse and neglect of people with disabilities. Oftentimes these are secondary investigations in which we review another entity’s primary investigation to ensure it was thorough and complete.

**Education** – We provide training on various topics related to the rights of people with disabilities and older people. We also create educational materials for use by the public and have them available on our website.

**Legislative Analysis** – We may get involved in the legislative process by writing position statements, educating legislators or stakeholders or testifying before the legislature expressing how legislation may impact people with disabilities or older people.

*\*\*All of our work is performed based on available resources and in accordance with our Criteria for Representation\*\**

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