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National Legal Resource Center – A Support System for the Aging and Law Networks

The U.S. Administration on Aging (AoA) Office of Elder Rights recently announced the six collaborators of the new iteration of the National Legal Resource Center (NLRC). The program is authorized under Title IV, Section 420 (a) of the Older Americans Act to provide a national legal assistance support system to aid practitioners of both the legal and aging networks working with older individuals. We recently spoke with the NLRC Project Officer, Omar Valverde, about the Center’s mission and the project’s evolution.

When preparing to write the most recent request for proposals for the National Legal Resource Center (NLRC), Project Officer Omar Valverde of the AoA Office of Elder Rights observed a common theme as he studied earlier project reports. Despite the high quality of services, grantees reflected that the “system” in place appeared fragmented

and compartmentalized.

We started thinking about how to increase collaboration, improve communication, and enhance coordination of these components. We wanted to have a centralized access point into the national legal assistance support system, and the newly created Center is designed to be that portal.”

The objectives of the NLRC are to support both the legal and aging services networks in order to provide high quality, accessible legal services and elder rights programs to older individuals. The NLRC also supports demonstration projects that enhance and expand legal services and elder rights protections to elders in social or economic need.

See [NLRC](#), Page 2

International Day of Older Persons: A Call for a Convention on the Rights of Older Persons

On October 2, 2008, the United Nations hosted the 18th observance of the International Day of Older Persons (IDOP), presented by the Non-Governmental Organization Committee on Ageing, in what they hope will “lead to the development and acceptance of a Convention on the Rights of Older Persons.” Elders, advocates, researchers, educators, and practitioners from around the globe met to discuss the issues and obstacles related to this challenge.

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NLRC

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NLRC Services

The NLRC will provide the following services through its collaborators:

- *Case Consultation*
[The National Senior Citizens Law Center \(NSCLC\)](#) will provide case consultation for professionals and advocates to assist them in the resolving complex legal issues impacting older individuals.
- *Training*
[The National Consumer Law Center \(NCLC\)](#) will provide training for the aging and legal services networks on a wide range of legal and elder rights issues. Topics for case consultation and training may include long-term care, healthcare, housing, public benefits, Older Americans Act services, guardianship/conservatorship, elder abuse, financial exploitation, Medicare/Medicaid, home foreclosures, predatory lending, and consumer fraud.
- *Technical Assistance/Legal and Aging Systems Development*
[The Center for Social Gerontology \(TCSG\)](#) will provide technical assistance in the development, expansion, and integration of service delivery systems interfacing seamlessly between the legal and aging services network. [Elder Law of Michigan, Center for Elder Rights Advocates \(ELM-CERA\)](#) will provide technical assistance to a network of legal helpline professionals offering accessible and cost effective legal aid to elders, as well

as to states on how to best integrate these low-cost mechanisms into the larger legal and aging services network.

- *Information and Resource Development and Dissemination*
[The American Bar Association, Fund for Justice and Education \(ABA-FJE\)](#) will provide quality information and resources such as research on “cutting edge” issues of elder law; newsletters; fact sheets; issue briefs; self-help manuals; educational and outreach materials; and information on promising and innovative practices identified through demonstration projects, etc.

By providing these services, the NLRC will support the aging and legal services networks in helping older persons live as independently as possible, exercise choice, and maintain financial security. These goals will also dovetail with two major AoA initiatives. Practitioners working with seniors in Aging and Disabilities Resource Centers (ADRCs) will be better positioned to spot legal issues as they emerge and refer cases or intervene earlier. The NLRC will also work to amplify the impact of the Model Approaches to Statewide Legal Assistance Systems demonstration projects, which began in 2006 and seek to establish well-integrated legal systems. In addition, both the NCEA and the NLRC will provide resources to support each other’s parallel efforts to enhance the right and protections of Older Americans.

Mr. Valverde emphasized that the NLRC is not only a resource for legal

professionals; it is an important resource for aging services professionals and advocates to utilize as they encounter legal issues affecting their clients.

Under Construction: The NLRC Website

As Mr. Valverde notes from his own experience, while many high quality services may exist to support the work of practitioners in the field, finding these services can be a daunting challenge. To promote the awareness and accessibility of the NLRC services, the project will include the development of a website to serve as the virtual face of the Center.

"The aging and legal professionals have to have a clear understanding of their clients' needs, what kinds of organizations exist to help with these challenges, and finally, they need access to these organizations. Practitioners may have been deterred from seeking help because of the time involved in identifying services and knowing whether the services are quality services. We hope to overcome that barrier with the integration of these efforts, and through the main portal of the Center's website."

Currently under construction, the home page will allow users to select case consultation, training, or technical assistance options, and to obtain information on the relevant NLRC affiliate(s), services offered, and approximate turnaround time for obtaining services. The website will also expedite the process for requesting assistance from NLRC collaborators. [Legal Services National Technology Assistance Project \(LSNTAP\)](#), an organization that has

worked extensively with state legal providers, will assist in the development of content for the site. The site is intended to launch by October 2009.

Mr. Valverde concludes:

"The end result, we hope, is to maximize resources and expand access to services for those in most social and economic need. For example, the [state] Legal Services Developer will have many options for identifying resources for assisting in training and capacity development, etc. We believe that the previous system achieved a very high level of accomplishment within the context of its model. But it reached its highest state of excellence or its evolutionary cusp. We believe that the new Center will be taking the system to the next level, where the whole will become greater than the sum of its parts."

Congratulations to the new NLRC awardees!

(For questions on the NLRC, please contact Mr. Valverde at: Omar.Valverde@AoA.hhs.gov)

International Day of Older Persons

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Although the 1991 United Nations Principles for Older Persons (General Assembly Resolution 46/91) created a platform for the protection and empowerment of older individuals, elder abuse, ageism, and the marginalization of older people remains a threat throughout the world. The objectives of the 2008 IDOP were to promote the need

for an international convention to ensure human rights protections for this population; recognize the governmental, non-governmental, and private organizations that could partner in this initiative; and create a blueprint for legislation and policy developments for global regions to ensure these rights.

Speakers included Dr. Sergei Zelenev, an economist from Russia, who spoke of the structural disadvantages of society that harm elders, and the need to recognize and compensate them for unpaid economic contributions such as caregiving for grandchildren and other family members – a theme echoed throughout the day. Professor Nana Araba Apt from Ghana noted that in order to improve the lives of older individuals, social policies and practices must reflect respect for individuals throughout the lifespan. Dr. Lia Daichman of Argentina spoke of the plight of women as they age, and the need for coordination among service providers. Manohar Upreti, advocate and vice-president of the Nepalese Society of Victimology, described an ongoing initiative to foster financial independence of older citizens. Financial security as a protective factor against all types of abuse and exploitation was a theme that reverberated throughout the day.

While the morning session centered on panel presentations, the afternoon sessions provided opportunity for a vibrant exchange of dialog on circumventing the obstacles to rights protections. Ageism, particularly the images perpetuated by the media in television programming and in advertising, was a heated point of

discussion presented initially by Joan Davis of the Gray Panthers. Bridget Sleaf, rights policy adviser of HelpAge International, spoke of the need for joining with other established organizations in efforts to promote this agenda. While some advocates bemoaned the images of elders depicted as infirmed and disabled, others felt there was value in partnering with the disabilities movement given its established base, and noting that as we age we become increasingly likely to develop a chronic disabling condition. An important refrain from participants and speakers throughout the day was the need to hear the voices of older individuals speaking out against abuses. Intergenerational approaches aimed at the youth were also considered important. (To read more about IDOP 2008, including keynote messages, [Click Here.](#))

Research Presentation: The International Committee for the Prevention of Elder Abuse (INPEA)

In the evening, INPEA presented the findings from the *World View on Elder Abuse: An Environmental Scan*, a global research initiative undertaken by collaborators from Ryerson University in Toronto, Canada, the University of Kentucky, and Cleveland State University in Ohio.

Dr. Elizabeth Podnieks of Ryerson University, principal investigator, introduced the context of the study. The project represented the first comprehensive attempt to scan practitioners and advocates throughout the world for their perceptions of elder

abuse. In all, 53 countries (both developed and developing) representing all six World Health Organization regions responded to the study. One-hundred ninety surveys were collected from a total of 362 respondents.

Dr. Georgia Anetzberger, co-principal investigator from Cleveland State University, discussed the methodology of the study. Cultural barriers were noted, particularly as respondents attempted to relate to and communicate various concepts and values not easily translated from one language to another.

Dr. Pamela Teaster, co-principal investigator from University of Kentucky, was joined by her colleague, Tenzin Wangmo, in describing the findings of the study, including comparisons between developed and developing countries. Among the many highlights:

- Most professionals and the general public seem to lack an awareness and/or understanding of laws that protect older individuals;
- All respondents reported a lack of funding to address the problem;
- Honor and respect were themes applied to elders;
- Ageism was identified as a significant concern;
- Poverty and poor social support contribute significantly to elder abuse in developing countries;
- Living alone and poor social support contribute to elder abuse in developed countries;
- A lack of public awareness and education relating to elder abuse is a considerable obstacle;

- Research on elder abuse and neglect, particularly in rural areas and institutions, is a significant need.

The next phase of research will involve follow-up interviews with interested participants, and additional efforts to engage countries that were not represented or under-represented.

The overall conclusion of the study supports the themes of IDOP that the governmental, non-governmental, private entities, and the public at large must create a sense of urgency to recognize elder abuse as a threat not only to the well-being of older people but to society as a whole.

For more information on the Environmental Scan, contact: Dr. Podnieks at: Elizabeth.podnieks@utoronto.ca, Dr. Anetzberger at: g.anetzberger@csuohio.edu, and Dr. Teaster at: pteaster@email.uky.edu.

Canada Launches National Public Awareness Campaign

In conjunction with the International Day of Older Persons, the Government of Canada launched a nationwide elder abuse public awareness campaign, Elder Abuse: Break the Silence.

A significant portion of the \$13 million dollars that the government budgeted to address elder abuse will be earmarked for the campaign, which launched on October 2, 2008. In addition to publicizing the issue, information tools and training for healthcare, law

enforcement, and justice professionals will be created and disseminated. The campaign message will not only spotlight all types of elder mistreatment; it will also emphasize that help is available. The NCEA E-News will feature highlights of the Canadian campaign as it unfolds. To read the full text of the announcement of this campaign, please visit the [Canadian National Seniors Council](#).

Funding Opportunity

Helping Outreach Programs to Expand Grants

Helping Outreach Programs to Expand awards grants to improve outreach to, and services for, crime victims. Grassroots, nonprofit, community-based, and faith-based victim services organizations are among those eligible to apply.

- Application deadline: Open, dependent upon available funding.
- For more information, [Click Here](#).

New Online Resources from the Office of Victims of Crime

The Office of Victims of Crime (OVC) has recently released two new online resources to enhance community responses to victims of crime with disabilities.

The *Promising Practices for Serving Crime Victims with Disabilities* [Bulletin](#) and [Toolkit](#) feature guidelines developed as a result of the OVC Promising Practices Project (2002-2006) to enhance victims' assistance programs. As part of the

demonstration project, grantees each established steering committees comprised of members representing both victims and service providers, including those that served seniors. The bulletin provides a background to the project and work carried-out by the grantees, and the toolkit presents "the issues and obstacles encountered by people with disabilities who have been victimized or abused." According to OVC, these materials are intended to "promote awareness of the issues faced by crime victims with disabilities and to improve community capacity to better serve them by providing a user-friendly resource for organizations wishing to replicate similar project activities and outcomes" by "offer[ing] practical advice and examples to help communities replicate the project models featured and develop those appropriate to their locale."

Federal Legislative Update: A Quarterly Look at Legislative Activity that May Impact the Lives of Older Americans

As we approach the end of the second session of the 110th Congress, the House of Representatives has adjourned and the Senate will remain in pro-forma sessions only for the remainder of the year. It appears unlikely that any major activity will occur until the next Congress convenes in early January, 2009. Here are updates on some of the legislation that we have been tracking.

The Elder Justice Act (S. 1070 / H.R. 1783) was co-sponsored by Senators Elizabeth Dole (Republican-NC), Robert Casey (Democrat-PA), Barbara Mikulski (Democrat-MD), and Tim Johnson

(Democrat-SD), bringing the total number of co-sponsors to 32. On September 10, 2008, the Senate version was marked up by the Finance Committee and on September 19, 2008, the bill was placed on the Senate legislative calendar for consideration; it has not yet been brought before the full Senate. During recent months, the House bill was endorsed by Representatives Lucille Roybal-Allard (Democrat, CA-34) and the late Stephanie Tubbs Jones (OH-11).

The Patient Safety and Abuse Prevention Act of 2007 (S. 1577) was passed on September 10, 2008 by the Senate Finance Committee and on September 22, 2008, the bill was placed on the legislative calendar for consideration by the full Senate.

The Elder Abuse Victims Act of 2008 (H.R. 5352) was passed by the House of Representatives on September 23, 2008 and on October 2, 2008, it was received in the Senate, read twice, and referred to the Committee for the Judiciary.

The NCEA E-News will update federal legislative activity in the February 2009 issue. For more information on the status of these and other bills, including sponsorship information, or to access their texts, [Click Here](#).

Editorial Note

The Federal Legislative Update, Elder Abuse Research and Literature, and State News are quarterly postings. On schedule for upcoming e-News:

- December 2008 – Elder Abuse Research and Literature

- January 2009 – State News
- February 2009 – Federal Legislative Update

Calendar of Events

November 4 - 7, 2008

25th Annual Adult Protective Services Conference
Holiday Inn Select
San Antonio, Texas
Email: [Click Here](#)
Website: [Click Here](#)

November 13 – 15, 2008

Canadian Conference on Elder Law/International Guardianship Network:
Aging Citizens, Evolving Practices
Sheraton Vancouver Wall Centre
Vancouver, British Columbia, Canada
Website: [Click Here](#)

November 21-25, 2008

Gerontological Society of America 61st Scientific Meeting: *Resilience in an Aging Society – Risks and Opportunities*
Gaylord National Resort and Convention Center
National Harbor, Maryland
Website: [Click Here](#)

December 2 – 5, 2008

California District Attorney Association
Elder Abuse Symposium
Hyatt Regency Fisherman's Wharf
San Francisco, California
Telephone: 916-443-2017
Website: [Click Here](#)

December 3 – 6, 2008

8th Annual National Aging and Law Conference
Double Tree Hotel
Arlington, Virginia
Email: [Click Here](#)

Telephone: 202-434-2197

Website: [Click Here](#)

March 23 - 24, 2009

24th Annual Ohio Coalition for Adult Protective Services Conference: *New Perspectives: Elder Abuse in a Changing World*

Renaissance Hotel

Columbus, Ohio

Website: [Click Here](#)

April 24-25, 2009

Academy on Violence and Abuse 2009 Scientific Conference: *Sowing Seeds of Academic Change, Nurturing New Paradigms*

Holiday Inn Select & Suites Minneapolis

International Airport-Mall Of America

Minneapolis, Minnesota

Website: [Click Here](#)

Federal Disclaimer

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<http://www.ncea.aoa.gov>

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National Center on Elder Abuse Grantees:

National Adult Protective Services Association (NAPSA)

<http://www.apsnetwork.org>

National Committee for the Prevention of Elder Abuse (NCPEA)

<http://www.preventelderabuse.org>

Clearinghouse on Abuse and Neglect of the Elderly, University of Delaware (CANE-UD)

<http://www.cane.udel.edu>