



## PLANNING FOR PROTECTION AND ADVOCACY SERVICES FOR 2011

The Arizona Center for Disability Law (Center) advocates for the legal rights of persons with disabilities to be free from abuse, neglect, and discrimination and to have access to education, health care, jobs, and other services in order to maximize independence and achieve equality.

The Center is designated as the state's Protection and Advocacy (P&A) System and is funded through a series of federal grants. The Center does not have enough staff or funding to provide a full range of legal services to everyone who requests assistance; therefore, we must develop priorities in each of our federal grant programs to guide our work. Our federal authorization further requires that we solicit public comment on our priorities and activities.

We would like to hear from you about our priorities so that we can better be able to respond to the needs of persons with disabilities in Arizona. What issues related to disability rights do you care about most? What issues do you think the Center should be spending its time and money?

On the back of this page are the guidelines for eligibility for all of the programs. On the pages that follow are the priorities for 2011. We would appreciate it if you could take a few minutes to review our priorities and **provide comments to us by August 28, 2009**. We have attached a comment sheet for your use or you may call us or e-mail us with your comments. If you prefer, you can complete an online survey which is available through a link on the Priorities page of our website at [www.azdisabilitylaw.org](http://www.azdisabilitylaw.org). Please let us know if you need to receive the priorities or comment page in an alternative format. Thank you for taking the time to assist us in this important task.

Sincerely,

Peri Jude Radecic  
Executive Director

## **ELIGIBILITY FOR ALL PROGRAMS**

Applicants for protection and advocacy services must meet the following criteria:

1. The applicant must meet the program eligibility guidelines and the legal problems must fall within an objective or priority for services.
2. Services will be provided only to persons whose legal problems are related to their status as an individual with a disability, whose legal problems are susceptible to resolution by Center staff and whose claims have legal merit.
3. Services will generally only be provided to individuals whose problems cannot be solved by other individuals, agencies, attorneys or organizations.
4. Individuals from under-served or unserved populations or geographic regions will receive priority for outreach, training and representation.
5. Direct legal representation will only be provided to individuals that present systemic issues or problems.
6. Even within priority areas, services will be contingent upon the availability of staff and resources.

## **TYPES OF ADVOCACY SERVICES PROVIDED**

Once a person has been determined to meet the above eligibility criteria, the person MAY be provided with one or more of the following levels of service.

- A. Self-Advocacy Trainings, Self-Advocacy Instructional Materials, and Information and Referral.
- B. Technical Assistance or Representation

Depending upon the availability of staff and litigation resources, an individual case may be accepted for technical assistance or representation. Such services include:

1. Information and Referrals;
2. Short Term Assistance;
3. Administrative Agency Assistance/Representation;
4. Negotiation/Mediation; and
5. Litigation - In determining whether to provide legal representation by an attorney in court or an administrative agency hearing, the Center applies the following criteria:
  - a. The issue must be of broad public interest rather than narrow private interest.
  - b. The public interest would not be adequately represented by other individuals, agencies, or organizations.
  - c. A successful outcome will include a change in law, rule, or policy or its administration, or at least the establishment of a significant legal precedent that will benefit the interest of the public.
  - d. The Center has adequate staff and litigation expense resources, given its other litigation, to effectively pursue the case.