

**Oklahoma Alliance On Aging  
Education Committee  
August 20, 2004**

**LEGAL AID SERVICES OF OKLAHOMA, INC.  
SENIOR CITIZEN SERVICES**

**Location: Mayfair Center Board Room, OKC**

Present: James Crowder (retired volunteer, Alliance On Aging, Oklahoma Association of Retired Federal Employees, OKC), Vivian S. Smith (retiree volunteer, Alliance On Aging Education Committee Chairman, Yukon), Helen Patrick (retiree volunteer, Alliance On Aging, Norman), S. Jean Clark (retiree volunteer, Alliance on Aging, OKC), Richard Goralewicz, JD (Legal Services of Oklahoma), Kent Kepler (Girling Health Care, Alliance on Aging OKC), Sharon Pickard (Area wide Aging Agency, OKC), Deane Woods (Girling Health Care).

**Background**

Legal issues are a basic aspect of federal, state and community services affecting older Oklahomans.

The Oklahoma Alliance on aging came into existence in 1980, with its primary goal to gain passage of a comprehensive nursing home law. Despite bitter opposition from the powerful nursing home industry leadership, the bill became law that year.

The Alliance on aging Education Committee has had periodic information and discussion meetings on health related legal issues, including the Oklahoma Natural Death Act, Hydration and Nutrition for Incompetent Patients Act, Durable Power of Attorney, Guardianship, and related issues. Our members have served on various task forces and advisory groups over the years that have helped to keep us informed about ongoing issues.

Recently, work of a new **Oklahoma Attorney General's Task to Improve End of Life Care began.** It met on July 27<sup>th</sup> at the Oklahoma Hospital Association, 400 N. Lincoln Blvd., Oklahoma City. Meetings will be monthly, with a final report to be made in January 2005.

**A LEGAL AID ATTORNEY PERSPECTIVE...Richard Goralewicz,  
J.D. Director, Senior Services**

**Legal Aid** is a federally funded corporation operating in every state, with additional funding from each state. Oklahoma offices are in Oklahoma

City and Tulsa. Main office in Oklahoma City is at 2901 N. Classen Blvd. with branches in Chickasha, Shawnee and Norman.

Funding is 70% from Washington, supplemented by grants each year from United Way, area aging agencies, and the Oklahoma Department of Human Services.

The Senior Services division of Legal Aid receives 30-50 “help Line” (557-0014 or 488-6814) calls per day and serves only senior citizens age 60 or over, regardless of income.

Three attorneys come in part time. There are four volunteers in the office, taking calls and determining to whom to refer each call. One volunteer is 92 years old.

If issues go to court, private lawyers handle the cases, often pro bono (no charge). The program does not compete with the private bar.

The office does not take fee-generating cases, including civil rights, class action, and challenges of laws, abortion, and public housing and incarcerated people. There are limits to services to senior citizens residing in public housing. The office may serve divorced people in special circumstances, such as alimony. Services in such cases are rare, -- considered case by case.

“Most people do not volunteer to be poor,”

Cease and desist letters can be sent to creditors...

There is a problem when people want immediate help, in what they perceive as “life and death” issues.

Greatest numbers of cases involve guardianship, in cases of grandparents caring for grandchildren.

Medicaid benefits are not subject to litigation.

## **DISCUSSION**

John Terneus commented that when situations involving nursing home ombudsmen and adult protective services, and situations needing legal action, --nothing happens.

Wes Bledsoe of **PERFECT CAUSE**, an organization working for safely and quality care in nursing homes, reports that some people working in nursing homes are right out of prisons! Can such situations be reported to Legal Aid?

Answer: Legal Aid may refer such situations to County District Attorneys. The District Attorney in Cleveland County (Norman) will respond. The District Attorney in Oklahoma County will not.

There are people who will explore trashcans for information they may use in Identity Theft. The Sheriff’s Department in most cases will respond.

When the Sheriff's Department will not respond, references are made to invasion of privacy.

Professional criminals can access data in computers, and ask for contributions to "Foundations" that are bogus. People should not feel guilty if they ask for help when they have been cheated. Prison telephones can be used to make collect calls that cheat people.

Southwestern Bell has a program to address the problem. Elderly people are often targeted with credit card theft.

Huge numbers of people are already enrolled in the Attorney General "DO NOT CALL" lists.

LEGAL AID will help people with fraudulent telephone requests. The Oklahoma County LATINO AGENCY is partnering with LEGAL AID to help women and children being abused. There are now chapters of Latino Groups.

The Supreme Court has not defined "fraud". Our mail may include "SWEEPSTAKES". CONSUMER'S UNION has a website with information. The local BETTER BUSINESS BUREAU is an excellent source of information.

Vivian S. Smith, Ph.D.  
Committee Chairman

