

Legal Services Developer

The Department's Legal Services Developer is charged with annually developing and negotiating effective legal services for older individuals through contracts for legal services with East River Legal Services and Dakota Plains Legal Services.

As a Long Term Services and Supports (LTSS) staff member, this person provides referrals and informs people and groups of changes in federal, state and local laws. The Legal Services Developer provides education and awareness regarding abuse, neglect and exploitation and other services.

For Information or Referral

**Department of Human Services
Long Term Services and Supports**
c/o 500 E. Capitol
Pierre, SD 57501-2291
605.773.3656
1.866.854.5465
<http://dhs.sd.gov/ltss/legal.aspx>

SD Lawyer Referral Service

222 E. Capitol Ave. #3
Pierre, SD 57501
605.224.7554
1.800.952.2333
www.statebarofsouthdakota.com

Legal Services Programs

East River Legal Services

335 North Main Avenue #300
Sioux Falls, SD 57104-6038
1.800.952.3015 or 605.336.9230

Dakota Plains Legal Services

PO Box 727
Mission, SD 57555-0727
1.800.658.2297 or 605.856.4444

***Dakota Plains Legal Services also has branch offices located in Pine Ridge, Eagle Butte, Fort Thompson, Rapid City, Sisseton, and Fort Yates, N.D.

LTSS Nondiscrimination Policy:

Department of Human Services staff, programs and policies must not discriminate against clients or applicants for services because of race, color, sex, age, disability, religion and national origin.

To file a complaint of discrimination write to: DHS Division of Legal Services, 3800 E. Hwy. 34, c/o 500 E. Capitol Ave., Pierre, SD 57501 or call: 605.773.5990.

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Legal Services for the Elderly



DEPARTMENT OF HUMAN SERVICES

Legal Assistance under the Older Americans Act

Since 1975, the Older Americans Act has authorized funding for legal assistance. As the state agency responsible for the administration of the Older Americans Act in South Dakota, the Department of Human Services' Division of Long Term Services and Supports recognizes the need to provide legal assistance specifically to older individuals age 60 and older, with the greatest economic and social need.

Eligibility

- ✓ Individuals 60 years and older.
- ✓ Legal issue must be recognized as a priority.

Types of Legal Assistance

Long Term Services and Supports contracts with two legal service programs to provide legal assistance to eligible individuals. Each legal service program has its own policy regarding the types of cases accepted and may be different for each program.

Legal service programs cannot accept fee generating cases and usually do not handle criminal cases. The legal skills furnished by the programs include counseling and advice, negotiations, advocacy at administrative hearings, litigation and appeals.

The following information explains some types of assistance available:

Advance Directive

- ✓ Informs others of the individuals treatment wishes in a medical crisis.
- ✓ Draft documents to assist individuals and families in making health care decisions when unable to make them during a medical crisis.

Age Discrimination

- ✓ Provide legal assistance if rights have been violated due to denial of credit, insurance or employment because of age.

Consumer Problems

- ✓ Provide advice on the meaning of legal terms, rights of the buyer and warranties contained in purchase contracts.

Guardianship

- ✓ Provide legal assistance to the individual who wants to file a petition for guardianship.
- ✓ Ensure individuals in need of a guardian are given notice and opportunity to be heard prior to appointment of a guardian.

Housing

- ✓ Provide a lawyer for landlord tenant disputes, eviction, etc.
- ✓ Help start grievance procedures and inform a tenant of his or her rights to appeal.

Insurance

- ✓ Explain common insurance policy terms, such as: Partial limitation, coinsurance, insurable interest, insurable value, waiting period and waiver.
- ✓ Ensure the individual gets the policy he or she wants to purchase.

Public Benefits

- ✓ Establish a client's eligibility for various government benefits, such as: Supplemental Security Income (SSI), Fuel Assistance, Food Stamps, Medicare, Medicaid, Social Security, Unemployment Benefits and Worker's Compensation.
- ✓ Provide help with appealing denials, suspensions, refusals to pay claims, reductions in benefits or in checking clerical errors.

Wills

- ✓ Prepare a will as well as inform the individual of the consequences of any decisions he or she may make in the will.

