

The AIDS Legal Council of Chicago
Preserving, Promoting & Protecting the Rights of Persons with HIV

ANNUAL REPORT 2007

The AIDS Legal Council of Chicago

The AIDS Legal Council of Chicago exists to preserve, promote and protect the legal rights of persons living with HIV in the Chicago metropolitan area. The Council fulfills its mission by providing direct legal services to low-income individuals in need, educating the public about the rights of persons with HIV, and advocating at all levels of government for the fair treatment of people with AIDS. The Council maintains a full-time office in the Chicago Loop and a part-time office at the CORE Center on the campus of John Stroger Hospital. The AIDS Legal Council of Chicago is the only organization in Illinois devoted exclusively to providing legal assistance to persons with HIV. It is also the state's largest training resource on HIV and the law.

Introduction

Next year, the AIDS Legal Council of Chicago will commemorate 20 years of service in the Chicago metropolitan area. During that time, our staff has provided life-saving legal assistance to thousands of individuals with HIV and their families — assistance they could not otherwise afford and which today enables them to access health care, employment, benefits and a wide range of other services that give our clients stability and hope.

In FY 2007, staff at ALCC:

- Helped 886 individuals with a total of 1,365 legal cases, ranging from public benefits and confidentiality to estate planning and immigration.
- Delivered 82 HIV legal trainings, reaching more than 1,360 case managers, health care workers, attorneys and other service providers.
- Helped retain strong informed consent requirements for HIV testing in Illinois law, even while navigating new Centers for Disease Control recommendations that consider written consent a barrier to testing.
- Significantly increased individual and corporate giving and took advantage of staff attrition to finish the fiscal year in the black despite several significant funding cuts.

Individual Client Cases

Goal: Provide legal assistance to clients in 1,000 legal matters at the Council's Loop office. Provide assistance in at least 300 cases at the CORE Center office.

In FY 2007, ALCC provided assistance to clients in 370 legal matters at the CORE Center and 995 cases at our office in downtown Chicago, just short of our goal for the year. Our caseload total for the CORE Center is particularly impressive in light of the reduced hours we now maintain there after the departure of a full-time staff attorney in February. At that location, almost 41% of our clients are now Latino. Nearly the same amount have no income at all and 56% report no insurance, public or private.

The statistics are only a little less bleak for our overall client population, where 31% have no income and 37% have no source of payment for their health care. Our client demographics show that little has changed from our previous fiscal year. Forty-five percent of our clients this year were African-American, and twenty-two percent were Hispanic. Men continue to receive services at a far higher rate than women, and currently constitute 77% of our agency caseload. Although the percentage of our heterosexual clients has increased over the past 10 years, gay and bisexual men still represent more than 50% of our clients. This year, we assisted HIV-affected persons from 51 different countries and territories.

Figure 1: Client Demographics

Race/Ethnicity	
African American	44.9%
White	28.9%
Hispanic	22.7%
Other	1.5%
Asian	1.3%
Native-American	0.4%

Education	
Below High School	8.6%
Some High School	15.4%
High School Graduate	24.9%
Some College	29.9%
College Graduate	16.5%
Advanced Degree	3.8%

Age	
Over 49	25.8%
40-49	42.9%
30-39	21.7%
20-29	8.5%
13-19	0.3%
Under 13	0.1%

Risk Factor	
Gay/Bisexual	50.7%
Heterosexual	29.1%
Heterosexual IV Drug Use	7.2%
Gay/Bisexual IV Drug Use	2.0%
Blood Transfusion	1.8%
Hemophilia	0.7%
Parent Infected	0.3%
Other	7.0%

Health Status	
AIDS	39.9%
HIV+ (symptomatic)	27.6%
HIV+ (asymptomatic)	28.7%
HIV-negative	2.6%
Unknown	0.7%

Income	
No Income	32.4%
\$1—\$10,000	25.0%
\$10,001—\$20,000	26.8%
\$20,001—\$30,000	7.8%
Over \$30,000	7.1%

Seema

If all you knew about Seema was the information in her medical records, you'd think she was doing fine. But she wasn't. Without health insurance, she rarely made visits to her doctor. And without complete medical records, her request for Social Security benefits was turned down.

When we spoke to Seema's physician (who was seeing her without charge), we learned that she suffered from extreme anxiety that kept her from taking her pills. He and his staff had tried everything to help her, but her physical situation was rapidly deteriorating and, eventually, she became unable to work.

Without records to prove her disability and with time running out, her doctor agreed to write a letter detailing Seema's life-threatening condition. It was exactly what we needed. Seema won her benefits, got into counseling and actually started to take her psych and HIV meds regularly. Things were going very well.

Then Seema called us because she was having problems obtaining her citizenship. A legal resident, Seema had tried many times but her anxiety and illiteracy (both in English and her native language), made the citizenship test seem like an insurmountable challenge. We went with her to the interview and discovered that Immigration was about to deny her again because she had failed to submit some papers they had requested. We pleaded on Seema's behalf, explaining that her disability made it difficult for her to follow through without the aid of an advocate at her side.

Miraculously, we got an extension. Working with her doctors and mental health providers, we collected the documentation Seema needed for her next interview. It would prove a grueling process, but Seema finally got her citizenship. Although her health is still poor, we know this is a vital step towards stability and better health.

Irene

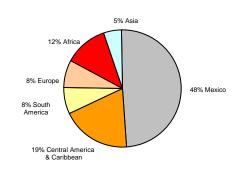
Through the Council's Family Options program, ALCC staff provides legal counseling and support to HIV-affected families that need to make long-term plans for the future care of their children. What make our services so unique, however, is that we also work with social workers from the Family & Children's AIDS Network to give these families the legal *and* emotional support they'll need to stay together and work through difficult periods of illness and loss. We are one of the few projects in the nation that offers HIV-affected families this kind of comprehensive support.

When we first met Irene, she was still reeling from the death of her daughter to HIV just days earlier. For the last months of her daughter's battle with AIDS, Irene had been a companion, caretaker and best friend to her daughter and her two young grandchildren, ages 13 and 7. Devastated by their loss, Irene and the children came to us for help.

We sat down with Irene and immediately prepared a small estate affidavit so that she could close out her daughter's bank accounts and get the money she needed to pay for her daughter's funeral. We then counseled her on various public benefits programs and advised her on ways to keep her grandchildren insured. Most recently, we've begun talking to her about family options and the kinds of guardianship plans she should consider to make sure the children will continue to be cared for in case something happens to her. And finally, we put Irene and her two young grandchildren in touch with the Family & Children's AIDS Network, an important step to help the family cope with their loss and find a way back to stability and a better future.

Figure 2: Client Profile by Area of Origin

With the launch of the HIV-Positive Immigrants' Rights Project in 2002, ALCC has experienced a marked growth in the number of foreign-born clients it serves, particularly from Mexico and other countries in Latin America. While a great many of them require assistance with immigration-related legal matters (such as adjustment of status and HIV waiver applications), we also provide legal help to them in other areas, including confidentiality matters, work-related issues, discrimination and estate planning.



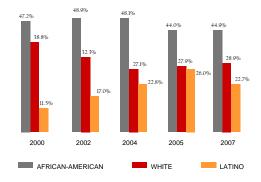
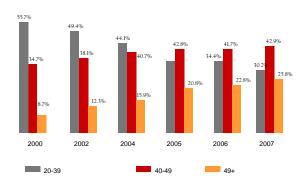


Figure 3: Client Profile by Race

Even with increased outreach among Latinos, (which resulted in a sizeable increase of clients between 2002 and 2005), African-Americans continue to seek legal services at a far higher rate than any other demographic group, representing 45% of ALCC clients. The percentage of clients who identify as white has dropped significantly since 2000, coinciding with the rise in Latino clients which currently stands at nearly 23%.

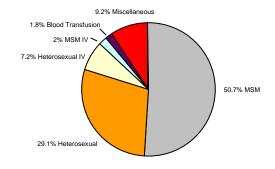
Figure 4: Client Profile by Age



Between FY 2000 and FY 2007, the percentage of clients over the age of 40 has risen dramatically as life-extending medical treatments have enabled persons with HIV to live longer and more productive lives. At the start of the decade, persons above the age of 40 represented approximately 38% of ALCC's client population. Today, that figure is approaching 69%. Clients under the age of 20 account for less than 2% of ALCC's caseload.

Figure 5: Client Profile by Risk Factor

Men who have sex with other men (MSMs) represent more than half of ALCC's clients, with those who contracted HIV through heterosexual contact accounting for just under 30%. The largest drop in this category has been seen among heterosexual IV drug users, who represented 15% of our clients in 2000. Today, that number has been halved to little more than 7%. The percentage of gay men who have contracted HIV intravenously has remained constant at 2%.



Anthony

Anthony came to the AIDS Legal Council of Chicago feeling like he had nowhere else to turn.

For as long as he could, Anthony had managed to balance his health and his career, holding a steady job in spite of his progressively deteriorating health. Still, when he began to feel too sick to get up some mornings, he reluctantly realized that he could no longer do both. He left his job and applied for disability benefits.

The first time his application was denied, Anthony was puzzled and angry. The second time, Anthony became desperate. By this time, Anthony was too ill to leave his home and was suffering from a case of Karposi's Sarcoma so severe that his doctors feared the rare cancer would soon spread to his internal organs. His viral load was spiraling our of control, and Anthony suffered constantly from chronic fatigue, night sweats, debilitating headaches and pneumonia.

Anthony contacted the AIDS Legal Council of Chicago and we immediately got to work collecting and reviewing his medical records and interviewing his doctors to prove that Anthony was in no condition to continue working. And those efforts paid off. On an appeal, ALCC was able to demonstrate the extent of Anthony's disability and he was immediately awarded the benefits he desperately needed to survive.

Terrence

Terrence was working full-time as a retail manager, making enough to live on his own and think seriously about pursuing his goal – to return to school and get a degree in business administration.

But when he fell ill and was diagnosed with HIV, things suddenly started to take a dramatic turn for the worse.

After years of good health, Terrence found that he had less and less energy and felt constantly fatigued. He began to suffer from night sweats, debilitating headaches and kidney problems. He couldn't sleep, he experienced bouts of pneumonia and was diagnosed with depression. When he finally had to leave his job, Terrence lost his apartment and had to make living arrangements with friends and family. His health was getting worse. And he began to fall behind in school.

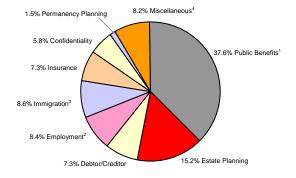
Terrence came to ALCC desperate for help. We talked to him about his options and helped him navigate the complex public benefits maze so that he would finally be able to buy food and find a place to live. We then helped him get Medicaid benefits so that he could get a medical card and start to receive urgent treatment for his HIV. We contacted his school and asked them to make some minor accommodations so that Terrence could get back on track and finish his studies.

Thanks to our help, Terrence was able to put his life back together. He got his business administration degree and is currently enrolled in a master's program. He is also living independently again. It's been a long journey, but Terrence is back on his feet and looking forward to the future.

Figure 6: Case Profile by Category

In FY 2007, assistance with public benefits continued to be the area of highest demand, accounting for nearly 38% of the Council's caseload. Illustrating the impact that this area of assistance has on clients' lives, our work helped secure Social Security benefits for at least 63 persons with HIV, resulting in additional annual income of nearly \$510,000. ALCC staff also secured an additional \$360,000 in retroactive benefits for clients in need.

The Council also assists many clients with estate planning issues. Last year we executed 50 wills and 67 sets of powers of attorney (many of them home or hospital visits). Fifteen clients navigated the immigration and HIV-waiver process with our help and received lawful permanent resident status. Fourteen clients qualified for Medicaid benefits and we prevented termination for six more. We also obtained damages for four clients as a result of breaches of their rights under the HIV testing and confidentiality laws.



¹Public Benefits includes Social Security Insurance (SSI), Social Security Disability Insurance (SSDI), Medicaid, Medicare, and other public aid programs.

²Employment includes workplace discrimination, return-to-work legal issues, workplace accommodations and other employee rights

³Immigration includes citizenship issues, legal permanent residency, requests for asylum and other immigration-related legal issues

⁴Miscellaneous includes Housing, Family Law, Criminal Transmission, issues arising at school and other legal matters.

Outreach and Education

Goal: Participate in at least 60 community outreach session reaching a minimum of 1,500 individuals.

The Council's legal education programs accomplish three important objectives: they inform the public (particularly persons living with HIV) about their legal rights, they educate case managers and other service providers about the legal difficulties their clients are likely to encounter, and they increase the number of clients who come to us looking for help. ALCC conducts trainings on legal topics of interest to persons with HIV, (particularly access to public benefits and confidentiality), and publishes a series of nine legal guides on matters ranging from insurance and public benefits to legal issues facing children and teens. These guides are available in English and Spanish and can be obtained at the Council's Loop office, or online at www.aidslegal.com.

Not counting our bi-monthly Spanish-language shows broadcast on CAN-TV, the Council this year provided 82 training programs reaching more than 1,360 individuals. These trainings include presentations at national, regional and state-wide conferences, as well as high schools, hospitals and community centers. Worth mentioning are a number of trainings on estate planning that were conducted by our Spanish-speaking staff to Latinos in the far-west sub-urbs of Chicago. Shortly after giving these presentations, staff returned to execute estate planning documents for those clients.

In an effort to expand our reach beyond Cook County, and increase the skill level of advocates throughout the state, we have also begun webcasting our substantive law trainings on the Illinois Legal Advocate and Illinois Pro Bono websites. These webcasts remain on the site as resources for legal services and pro bono attorneys throughout Illinois.

Figure 7: Educational Training Sites, FY2007

AIDS Foundation of Chicago BEHIV

Benito Juarez High School

CALOR

CAN-TV Carepoint

Casa Contreras

Catholic Charities

Chicago Department of Public Health

Center on Halsted

Cermak Health Services

Chicago Health Outreach

Chicago House

Chicago Kent College of Law

Chicago Public Schools

Children's Place

Christian Community Health Cetner Client Empowerment Conference

Cook County Westside Health Center

CORE Center

Department of Children & Family Services

DePaul University Elgin Latino Support Group Family Guidance Clinic

GAMBA

Governors State University

Hirch High School House of James

Howard Brown Health Center

Illinois Department of Public Health

Ingalls Hospital

International Visitors Center

Juvenile Court

Lawndale Christian Health Center

Lawson YMCA

Loyola Medical Center

MÁTEC

Michael Reese Hospital Mind, Body & Spirit Retreat

North Lawndale Christian Center

North Lawndale High School

Open Door Elgin

Pilsen Little Village Mental Health Clinic

Project Vida

Task Force

Test Positive Aware Network

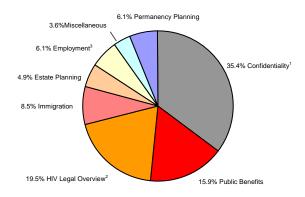
University of Illinois University of Chicago Hospital

Vision House

Vital Bridges

In addition to off-site trainings and seminars, the Council provides education via telephone to case managers, health care workers, attorneys, legal clinic staff and others who commonly work with HIV-infected individuals. In FY 2007, Council staff fielded 263 telephone calls from Chicago-area providers, enabling them to better serve their clients or patients facing complex HIV-related legal issues.

Figure 8: Educational Trainings by Category



¹Confidentiality trainings encompass a wide range of topics, from the rights to privacy of persons with HIV to questions about HIV testing and disclosure.

²HIV Legal Overviews are generally geared toward support groups for persons recently diagnosed with HIV and provide a summary of important topics, including public benefits, confidentiality and estate planning.

³Employment trainings include workplace discrimination, employment-based insurance issues and return to work.

Advocacy

Goal: Participate in at least three targeted projects to address systemic problems facing persons with HIV and AIDS in Illinois.

Through advocacy, ALCC is able to exert a far greater impact on the quality of life of persons with HIV than is possible through direct client representation and education alone. When, in 2000, ALCC became a leading architect of the effort to expand Medicaid coverage eligibility to persons with incomes between 42% and 100% of the federal poverty level, ALCC was able to add 100,000 seniors and persons with disabilities in Illinois (including more than 1,500 persons with HIV) to Medicaid for the first time. Advocacy is an essential component of the Council's efforts to secure fair treatment for individuals with HIV.

This year, our major focus, and victory, was the retention of strong informed consent requirements in the Illinois HIV testing statute. This is not an unimportant victory. As a rule, individuals should not have to submit to medical tests without consent, particularly when the outcome has the potential to be as life-altering as an HIV diagnosis. Working with other Illinois advocates, ALCC was able to forge a compromise bill preserving informed consent and strengthening penalties for failing to obtain consent. We believe that our success in Illinois may well serve as model for other states attempting to achieve the same goals.

Another issue which has consumed a substantial amount of staff time, both on a systemic and individual level, has been the implementation of legislation that transitions AIDS Drug Assistance Program clients with Medicare benefits into the Illinois Cares Rx Program. The implementation of the new program has been difficult for consumers to navigate due to its extreme complexity. ALCC staff helped figure out the details of implementation, trained clients and case managers in the new program and ultimately helped almost 100 individuals complete the four-step process necessary to qualify for the new program.

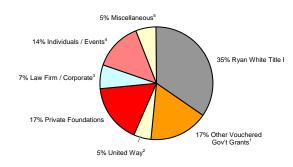
Finally, an issue which has not yet been resolved and promises to figure prominently in FY 2008, is the CDC's new proposed reporting guidelines for obtaining client data from HIV prevention and case management programs. As was the case with CDC's new testing guidelines discussed above, we are working as part of a national initiative on this issue. The new rules, which are currently on hold, would require programs to keep and report data on such things as the number of times between visits that their clients had unprotected sex, exchanged sex for money or drugs, or used illegal drugs. The proposed guidelines not only present significant confidentiality problems, but could additionally dissuade many clients from accessing the services they need out of fear that their personal behaviors are being monitored and private information is being to divulged to unknown third parties.

Financial Report

ALCC faced two significant funding cuts this year: an unexpected cut of \$40,000 in our Lifelong Families grant (which helps to fund our permanency planning work for HIV-affected parents with children), and a \$35,000 cut in Ryan White Title I funding. That we still managed to finish the year favorably to budget is a relief made possible largely by staff attrition. We did not replace bilingual attorney Mirta Woodall when she left in January and we eliminated the position of Director of Community Relations after Ricardo Cifuentes assumed the position of Director of Development in February, following the departure of our long-time Development Director, Cynthia Frahm.

We are extremely grateful, particularly in light of reduced funding from government and foundations, that our individual giving program continues to grow. By the end of FY 2007, our major donor program, the Advocates Circle, had grown by 15% above what we originally budgeted. Similarly, our law firm giving came in almost 40% over budget, thanks in part to a very generous increase from the law firm of Kirkland & Ellis, and very welcome increases from the firms of McGuire Woods and Baker & McKenzie. Another noteworthy source of support that does not show up in the budget is a gift from Karen and Kimball Anderson to the Public Interest Law Initiative, designated specifically to fund a second PILI intern at ALCC.

Figure 9: Revenue by Funding Category



¹Other Vouchered Government Grants includes Ryan White Title II, Lifelong Families and Family Options 2.

²Includes annual United Way funding in addition to funds received through the United Way check-off campaign.

³Also includes funds received from religiousbased foundations, court and *cy pres* awards and corporate and law firm matching gift programs.

⁴Includes funds raised through the Advocates Circle, direct mail and the Council's two annual events.

⁵Miscellaneous includes in-kind contributions and interest earnings.

Figure 10: The Advocates Circle

Since its launch in FY 2003, the Advocates Circle has become one of the Council's most important vehicles for individual fundraising, accounting for nearly 40% of funds raised from individual donors. Membership into the Advocates Circle starts with a gift of \$250 or greater and includes membership benefits that increase in value with higher levels of giving. The Advocates Circle annual campaign runs from September until February. Last year, it attracted 71 members. Retention rate currently stands at approximately 75%.

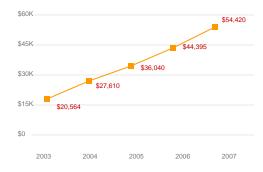
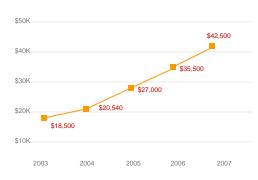


Figure 11: Trends in Law Firm Support



Because of the Council's relationship with the legal community, ALCC has been able to increase the amount of support it receives from various firms across the city. Most of this support is obtained through the Council's sponsorship drive in connection with the annual Advocates of the Year Awards. Additional financial support from law firms (not reflected in these totals) may be obtained through designated United Way contributions and from matching gift programs available to firm employees. Law firm giving has become an integral part of the Council's fundraising.

Figure 12: Law Firm Sponsors

Kirkland & Ellis	\$10,000
Sidley & Austin Winston & Strawn	
McGuire Woods Mayer Brown Rowe & Maw Jenner & Block	\$5,000 \$5,000 \$5,000
DLA Piper	\$2,500 \$2,000
Marshall Gerstein & Borun	\$1,500
Sonnenschein Nath & Rosenthal. Wintersteen & Dunning.	

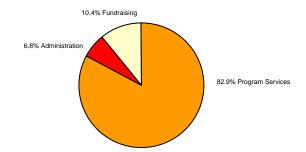
Figure 13: Foundation Support

AIDS Foundation of Chicago	\$30,000
American Immigration Lawyers Association	\$500
Braeside Foundation	\$1,000
Chicago Bar Foundation	\$12,500
Chicago Area Foundation for Legal Services	\$7,000
DIFFA/Chicago	\$10,000
Equal Justice America	\$1,750
Family & Children's AIDS Network	\$80,000
Lawyers Trust Fund of Illinois	\$45,000
Polk Bros. Foundation	
Public Interest Law Initiative	\$9,000
George Scanlon Foundation	\$10,000
Season of Concern	\$7,000
United Way of Metropolitan Chicago	\$35,000
Winnetka Congregational Church	

Figure 14: Corporate Support

Bowne	
Kenneth Cole New York	
Deloitte	
Steamworks	\$1,000
Northern Trust	\$1,000
Coldwell Banker	\$1,000
McCaffery Interests	
Abbott Labs	\$1,000

Figure 15: Expense Allocation by Category



The AIDS Legal Council of Chicago's federal 990 tax forms are available on request, or can be viewed online at www.guidestar.com.

Figure 16: Government Support

The majority of the Council's funding is obtained through government contracts, particularly the Ryan White CARE Act (now called Ryan White Treatment and Modernization Act). After several years of small to moderate increases, ALCC will receive a funding cut of \$35,000 in FY 2008, following new government guidelines that shift monies out of supportive services (including legal assistance), and divert them to primary medical care programs.

Ryan White CARE Act Title I	\$355,180
Ryan White CARE Act Title II	\$63,966
Lifelong Families	\$20,000
Family Options II	\$80.000

Special Thanks

The AIDS Legal Council of Chicago would not be able to fulfill its mission without the generous contributions of its donors and in-kind supporters. In particular, the Council would like to give special thanks to the wonderful friends who joined the Advocates Circle this year and helped to make it our most successful campaign to date:

Members of the 2007 Advocates Circle

Leadership Level \$5,000 or greater

Jamal Edwards Chris Dickinson & Joe Datu

Advocate Level \$2,500—\$4,999

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David Munar Chirag Patel Jim Pickett David Prindable Jeffery Roberts & Nick Cave Melanie Sikorski David Stubbins David Prindable Beverly Sha & Thomas Liao Jennifer Shaw Melanie Sikorski Marisol Simon Luis Vera Michael & Mary Woolever

Event Hosts & Volunteers

The following individuals and/or organizations played a critical role in facilitating special events and/or contributing in other ways to help in the Council's fundraising efforts. Our heartfelt thanks to everyone who generously donated their time and their services, or opened the doors to their homes to help raise needed funds for the Council's programs.

Lema Khorshid Big Gay Cocktail Club Vincent Parenti Reverie Pictures Kenneth Cole New York Chicago Pride Invitational & Scratch Masters The W Hotel Museum of Contemporary Art

Greg Cameron Chuck Hyde Equality Illinois J.O. Shaff Chirag Patel & Jamie Fritz Michael Andersson Jeffery Roberts & Nick Cave Annastacia Hubbard & Translucent Chocolates

Custo Barcelona Marc Foster The Pink Agenda Randall Ward Jamal Edwards Charlie's Chicago The AIDS Foundation of Chicago Kirkland & Ellis

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Jane's Restaurant
The Fudge Pot
The Spice House
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O'Brien's Restaurant
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Cheetah Gym
Crew Bar & Grill
Medhat Dental Excellence
Kurtis Productions
Sinha Restaurant
Ping Pong
La Fette

Michelle Tan Art & Science Salon Language Exhibit Boutique Stila Cosmetics Avec F2 Labs Anthony Logistics for Men Wardrobe Coach
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Advocates of the Year Awards, March 22, 2007







Kenneth Cole World AIDS Day Event, December 1, 2006







Loft Art Advocates Circle Party, December 8, 2006







Hoedown! at Sidetrack, June 6, 2007

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Administrative Assistant **Reece Rosendo** reece@aidslegal.com

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