



The AIDS Legal Council of Chicago Annual Report 2009

Preserving, Promoting & Protecting
the Rights of People with HIV





The AIDS Legal Council of Chicago

exists to preserve, promote and protect the legal rights of men, women and children in the metropolitan Chicago area living with HIV/AIDS. The Council provides direct legal services to people in need; educates consumers, service providers and the public about HIV-related legal issues; and advocates for social policies that ensure fair treatment of all people affected by HIV.



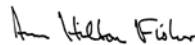
Letter from our Executive Director

I was training a group of doctors yesterday. One of them said “I think all those special laws about HIV just create the stigma—it should be treated like any other disease.” He was my host and we were at lunch so I didn’t contradict him on the spot. But during the training I told the story of Marcia, who wasn’t allowed to hold her own niece because of her HIV status. I thought about George, who was fired in August on the grounds that it wasn’t safe for him to be pushing wheelchairs around the airport if he was HIV positive. I thought about Jerome, who was fired in July on the very same day that he disclosed his status to the firm where he’d worked as a top executive for 17 years. Their rationale? He wouldn’t be able to command the respect of his staff once they learned he had AIDS.

Is Chicago a better and safer place for people with HIV than it was 20 years ago? Absolutely. Have stigma and discrimination disappeared? Not by a long shot. And although George and Jerome and many others of our clients are healthy and strong and able to work, I’m also currently representing two grandmothers, Mrs. S, and Mrs. D, both of whom are stepping forward to raise the children their daughters left behind when they died of AIDS. One of the mothers was only 21.

Are we still needed? The numbers speak for themselves. Last year we helped almost 1000 low income people with HIV with more than 1600 different legal problems. These are the highest numbers in our 22 years of providing free legal assistance to people with HIV and AIDS.

We are humbled by the grace and determination with which our clients navigate their complex lives. We are honored to be able to help them. Your support has made our work possible. Thank you.



Ann Hilton Fisher
Executive Director



Direct Services

The AIDS Legal Council of Chicago finished its fiscal year on June 30 with some very impressive – and sobering – numbers, reminding us just how tough these economic times can be on people with HIV and other disabilities. Compare the year-end totals between FY'08 and FY'09. By the end of our fiscal period on June 30, 2009, ALCC staff opened a total of 1,607 legal cases for 993 clients. Twelve months earlier, those numbers had been 1,453 and 857 respectively. That represents an **11%** increase in our caseload and a **16%** increase in clients.

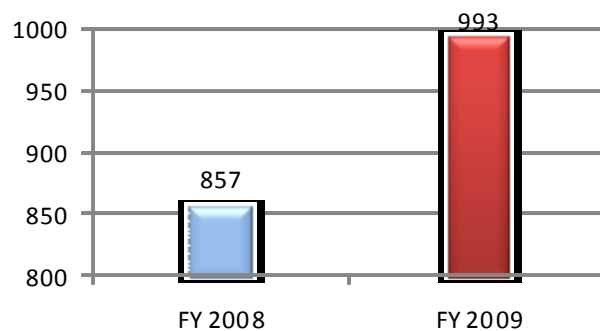
This increase is partly the result of steps ALCC has taken to attract more clients. Specifically, ALCC launched three initiatives during the past 24 months: mass transit advertising targeting individuals in underserved communities, a statewide hotline to counsel non-Cook County residents, and a

coordinated outreach effort expanding our educational trainings throughout Illinois.

But the deteriorating economy has also played a major role. In fact, between July 1, 2008 and June 30, 2009, ALCC **opened a total of 700 public benefits cases** — a 30% increase in our cases for people who need access to health care and income assistance, and a substantially larger share of our year-end caseload. During FY'08, public benefits issues represented 37% of all our cases. One year later, that figure was nearly 44%.

At present, it is difficult to know what the current year will bring. If the first two months of this year are any indication, however, ALCC may be looking at yet another 6% -8% increase in cases by the end of its year in June, 2010.

ALCC Client Totals: FY'08 & FY'09



Jack

Since his diagnosis in 1990, Jack has been an active and outspoken voice in the HIV/AIDS community. As a mentor to newly-diagnosed individuals and a prevention advocate, Jack has made the fight against the HIV epidemic a personal mission in his life.

In October 2007 Jack underwent surgery for chronic back pain. Unfortunately, the site of the surgery became infected, putting Jack in the hospital on three separate occasions and forcing him to endure intensive rounds of intravenous antibiotic therapy. The complications eventually became so severe that doctors were unsure what they were treating or what they should do next. As a result, Jack remained in constant pain with limited mobility.

Unable to continue the work that he loved, and fearing he would be unable to provide for his wife and two daughters, Jack applied for Social Security Disability Insurance benefits. Almost immediately, his application was denied.



With his options running out, Jack turned to ALCC for help and met with paralegal Katie Condon who reviewed his application and decided to help him appeal his denial. In December 2008, Jack was finally awarded the benefits he desperately needed, including retroactive benefits going all the way to April 2008 .

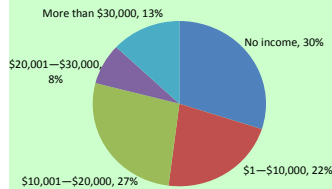
With his Social Security benefits, Jack not only obtained a source of income that helped him receive treatment and pay for his hospitalizations. It also allowed him to provide for his family. With regular doctor visits and therapy, Jack's mobility has improved and he is slowly returning to normal activities.

**All client names in the client stories have been changed to protect their confidentiality.*

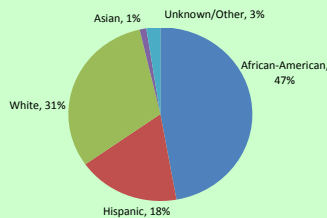
What We Do

After nearly 30 years of the AIDS epidemic, HIV today is mainly a disease of the poor. More than half of our clients live in terrible poverty, and almost one-third report having no income whatsoever. HIV also impacts men and women of all racial, cultural, ethnic and linguistic backgrounds with people of color now comprising more than two-thirds of all our clients. At our CORE Center office, where hundreds of uninsured people with HIV receive care, these numbers are even higher.

Client Profile by Income Level



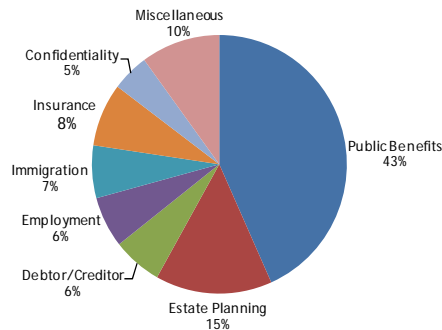
Client Profile by Race



The AIDS Legal Council of Chicago provides free and immediate legal assistance in a wide variety of HIV-related legal problems, including workplace or health care discrimination cases, HIV confidentiality issues, insurance company disputes, as well as issues people with HIV commonly face upon returning to work.

But the area of legal assistance our clients need help with most continues to be access to health care and income assistance programs. Today, more than 40% of our clients come to us for help with Social Security, Medicaid and Medicare—programs that provide needed financial assistance and health care benefits. This is followed by estate planning (mostly wills and powers of attorney), insurance, immigration (including the preparation of HIV waivers for immigrants who are adjusting their status), confidentiality issues, a variety of debtor/creditor problems and other challenges that arise because of a person's HIV status.

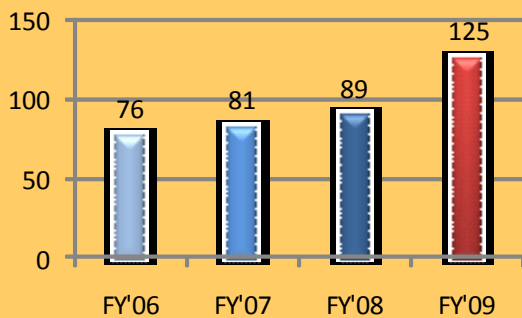
Case Profile, FY'09



Although ALCC primarily serves individuals who reside in the Chicago metropolitan area, we've never failed to recognize the need for HIV services in other parts of the state. For that reason, we've taken steps to expand services, including the launch of a public benefits hotline for individuals who live outside Cook County.

As a result of this hotline (funded by the Illinois Department of Public Health) the Council has seen significant increases in its number of downstate cases. In FY'09, ALCC staff opened a total of 125 cases for non-Cook County people with HIV —an increase of more than 40% within the span of a single year. This far outpaces the growth in demand that ALCC experienced agency-wide, where case numbers grew by 11%.

Increase in Non-Cook County cases: FY'06—FY'09



ALCC currently has two offices —one in the Chicago Loop accessible by most public transportation, and one at the Ruth M. Rothstein CORE Center. Here, poor and uninsured individuals with HIV can access a wide range of HIV-related services including medical and dental care, psychological services, nutritional counseling, legal assistance and a variety non-medical programs.

ALCC also offer its services in English and Spanish to meet the needs of its non-English speaking clients. Nearly half of the Council's staff is bilingual in English and Spanish, including our receptionist, Maria Duque, who screens and refers callers. Our goal is to give clients linguistically-appropriate services from the moment they first call us for help to the moment their case is closed. ALCC's Spanish -language publications are also available online. Currently, our Spanish guide on confidentiality and HIV is the most-visited page on our entire site.



Jan

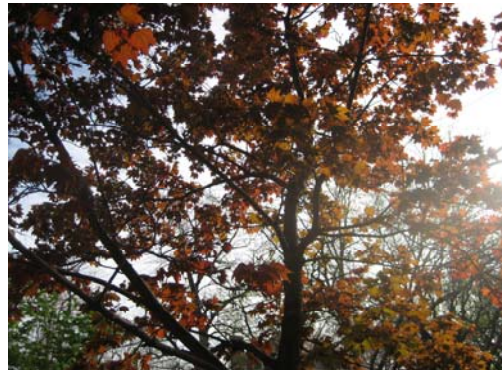
Jan's life has always been a struggle. He grew up in foster homes, enlisted in the military and fought in the Vietnam War as a young man. Following his service, Jan worked here and there, but seldom managed to make ends meet.

At age 52, Jan suddenly began to get sick. His doctors didn't know what was wrong, yet his health continued to decline and he eventually lost his job and home. When Jan was rushed to the VA Hospital one day, doctors finally discovered he'd been living with AIDS, but by then he had developed severe dementia and wasting. Eventually, he was placed in a nursing home.

We first heard from Jan in early December, 2008. His Social Security and Medicaid applications had been denied and the nursing home wanted to kick him out for non-payment. Paralegal Kate Miller looked more closely at his case and realized that the nursing home had failed to appeal the denials. When the director of the nursing home refused to resolve the problem, Kate went directly to the nursing home's legal counsel, who stopped the discharge.

Kate then contacted the local Medicaid office directly and explained Jan's difficult situation. They granted her request for an expedited review of his Medicaid application, and within ten days it was approved. Jan finally began to receive coverage.

Still, ALCC wanted to make sure that Jan would not encounter similar problems in the future. Kate put Jan in contact with a housing advocate who was soon able to find him a more desirable living situation with better trained and more professional staff.



Outreach & Education

An integral part of the Council's mission is to educate consumers and providers about the legal rights of people with HIV. During these past two years, ALCC has taken concrete steps to improve these efforts and increase our ability to reach a wider audience with information about HIV and the law.

First, the Council created a new staff position in 2007 to coordinate all our outreach activities and increase the number of our educational trainings. To date, that effort has been a wonderful success; we've seen our training numbers increase by more than 34% during this period, from 82 trainings in 2007 to 110 trainings in 2009. Anne Schmidlin is the Council's Community Outreach Coordinator.

ALCC also launched a very successful media campaign last year to reach CTA commuters who live in areas of high HIV prevalence. Titled "Living with HIV?", the campaign generated an immediate response and allowed us to help individuals who were not previously aware about our services. The campaign had to be suspended after 8 months because of decreased revenues (due to the economic decline), but we were nonetheless able to assist clients with 80 new cases as a result .

Finally, ALCC can now be found on Facebook and is beginning to use social media to communicate with supporters, donors and volunteers. Our blog, *The Legal Pad*, offers readers a glimpse into life in the Council, as well as important information about HIV and the law for consumers or providers. Written by case manager Justin Hayford, the blog can be read weekly at www.alcc-legalpad.blogspot.com.

The image shows a screenshot of a blog titled "the legal pad" with the subtitle "THE DAILY DRINK FROM AIDE LEGISLATION'S PERSPECTIVE". The main content area features a post from Monday, March 8, 2009, titled "I'm Just a Bril...Part 1". The text of the post discusses the challenges of understanding and following the Illinois legislature, mentioning people hanging on to their lives, thoughts, and dreams, and the author's goal of making regular blog posts to keep readers informed about important bills. To the right of the post is a sidebar with a search bar, a "Subscribe to the legal pad" section with a list of posts from 2009, and a "Useful legal links" section listing the AIDS National Directory of HIV Legal Services and the AIDS Legal Project.

Below the blog screenshot is a promotional banner for "Living with HIV? Know your rights!". The banner features two photos of men and the ALCC logo. It includes three bullet points: "Do you know it's against the law for someone to disclose your HIV status without your permission?", "Do you know it's illegal for someone to refuse you services or medical care simply because you have HIV?", and "Do you know you may be able to keep your Medicaid or Medicare coverage even after you return to work?". The banner also provides contact information for ALCC: "For free and confidential assistance with these or other HIV-related legal problems, call the AIDS Legal Council of Illinois at 312-427-4300, www.alcclegalpad.com, or assistance@alcc-legalpad.com. We're here to help!"

Sheila

When Sheila first came to our office, she was quiet and reserved. Sheila's family had managed to escape the violent conflict in Ethiopia and arrived in the U.S. in 2005 as refugees. Now, searching for a more permanent solution to their challenges, they decided to apply for green cards and become legal permanent residents.

For her husband and children, the process was relatively simple, but for Sheila, it quickly turned into a never-ending bureaucratic nightmare. Sheila is HIV-positive and as a result of the immigration ban on foreign-born people with HIV (a ban which is currently in the process of being lifted, but was still on the books when Sheila and her family applied for residency), Sheila seemed to be getting nowhere. Finally, Sheila was referred to the Council by World Relief and told that we would be able to help her apply for a special HIV waiver so she could adjust her status.

At first, Sheila and her husband were upset and confused – hadn't Sheila and her family already been through enough? Attorney Ruth Edwards took her time explaining that, although the law was being reviewed, a waiver was still required of

any immigrant with HIV who wanted to adjust his or her status. They agreed to let us help them, and Ruth contacted Sheila's doctors and the Cook County Department of Public Health to obtain all the necessary documents.

Today, Sheila is finally (and happily) a legal permanent resident. Not only does she and her family have greater peace of mind, but they're starting to look to the future with a greater sense of hope.



Advocacy

In addition to providing direct services and trainings, ALCC engages in public policy advocacy as a way of tackling systemic issues that impact people with HIV.

Last year our Executive Director Ann Fisher joined with other advocates across the country to formulate detailed proposals to the presidential transition teams about actions to improve the lives of people with HIV. As a result, the Department of Justice issued a memorandum with a variety of directives. Among these was a reminder to the states that it is illegal to interfere with the ability of people with HIV to receive professional licensing.



Ann Fisher at ISBA Awards Ceremony

With this memo, ALCC is now engaging in discussions with the Illinois Department of Public Health and the Illinois Department of Professional Regulation to begin implementing this memo in Illinois. Numerous Illinois laws currently prohibit individuals with “communicable diseases” from holding jobs as diverse as barbers and food truck drivers. Hopefully within the next year we will be able to rid the books in Illinois of antiquated statutes which continue to discriminate against people with HIV.

ALCC also advocates on behalf of its clients to ensure that they have continued access to the medications they need. When people on the AIDS Drug Assistance Program (ADAP) begin to receive Medicare, for example, they are required to transfer their prescription coverage to Illinois Cares Rx. Under the best of circumstances, that transition can take 6–12 weeks. When considering that many of our clients suffer from mental illnesses, learning disabilities and/or homelessness, it is apparent why many may miss deadlines and why the process may sometimes take longer. We work to ensure that ADAP keeps these clients covered until that transition is complete, thus ensuring that they are not left without the treatment they need to survive.

Several members of ALCC's staff made the trip down to Springfield this year to participate in the AIDS Foundation of Chicago's annual Lobby Days. At this three-day event, participants were educated on a variety of key issues, including reasons for supporting comprehensive sex education and eliminating the principal notification rule, which compromises the confidentiality rights of students by allowing school principals to notify other personnel of a student's HIV status. Our staff met and spoke with several state representatives and senators in Springfield and encouraged them to support our positions on these bills.

Finally, ALCC is working with other legal service organizations to form a training program for private practice attorneys who are interested in doing *pro bono* work in Social Security overpayment cases. Since the number of our public benefits cases has skyrocketed (and many of these cases involve an extraordinary amount of time and effort) having a network of *pro bono* attorneys providing this kind of assistance would not only benefit our clients, but would also help the Council manage its increasing caseloads in this area.



Paralegal Katie Condon (left) and Community Outreach Coordinator Anne Schmidlin in front of the Illinois State Capitol during Lobby Days.



ALCC paralegal Lindsee Redmond with Rep. Will Burns

Individual Support*

\$5,000 +

Christopher Dickinson
& Joe Datu

\$2,500—\$4,999

T. & Eva Janzen Powell
Edward Jeske
& John Hern
Randall Ward

\$1,000—\$2,499

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George Gibson
& John Darey
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Robert Harris
Emile Karafiol
Daniel Lange
Jean Langie
Martin Malin
Ronald Marmer
Condon McGlothlen
Christine Muckle
Susan Rogers
Melissa & Tom Samuels
Melanie Sikorski
Susan Fisher Yellen

\$250—\$499

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Pro Bono Support

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Ashwin Janakiram
Bill Patterson

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* We have tried our best to make this list as complete and accurate as possible. We apologize if anyone has been unintentionally left off the list.

Corporate & Law Firm Support

\$15,000 or greater

Kirkland & Ellis LLP

\$10,000—\$14,999

Sidley Austin LLP
Sonnenschein Nath & Rosenthal LLP
Winston & Strawn LLP

\$5,000—\$9,999

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Anonymous

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Windy City Times
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Foundation Support

\$50,000 or greater

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Chicago

\$30,000—\$49,999

Chicago Bar Foundation
Polk Bros. Foundation

\$10,000—\$29,999

AIDS Foundation of Chicago
Public Interest Law Initiative

\$5,000—\$9,999

Design Industries Foundation
Fighting AIDS (DIFFA)
Elizabeth Morse Charitable Trust

\$1,000—\$4,999

American Immigration Lawyers
Association
Hamill Family Foundation
Braeside Foundation
Louis & Nellie Sieg
Foundation
Season of Concern
Winnetka Congregational
Church

Special Event Support

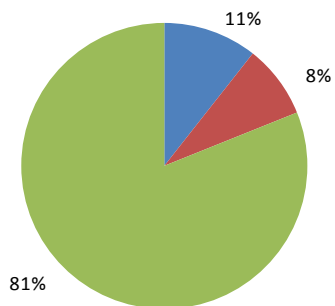
Kenneth Cole
Big Gay Cocktail Club
Chicago Pride Invitational
& Scratch Masters
Playboy Enterprises
Brazil in Chicago / Marcelo Jarmendia
Swissôtel
The Peninsula Hotel
Chicago Pride.com
Orbitz
Kimpton Hotels
Toolbox, Inc.
Ed Jeske
Greg Ohlman
Chicago Dramatists
Victory Gardens Theater
Cheetah Gym
About Face Theater
Reeling Gay and Lesbian Film
Festival
River North Dance Chicago
Redmoon Theater
Joffrey Ballet
Texas de Brazil
Lookingglass Theater
Dana Hotel
Cornelia's
Crowne Plaza
In Good Company
Ambassador East Hotel
Homey Gallery
Goodman Theatre
Banana Republic
Lakeside Inn
Shen Shen Health & Harmony
Robert Jeffery Hair Studio
Edilson Lima & Samba 1 Dance Group
Brad Lewis & Luis Leon
Horseshoe Casino

Financial Report

Statement of Activities and Changes in Net Assets
Year Ended June 30, 2009

	Unrestricted	Temporarily Restricted	Total
Revenues & Other Support			
Public Support			
Grants from Government Agencies	\$ 558,307		558,307
Grants and Contributions	315,657	132,000	447,657
Net assets released from restriction	74,000	(74,000)	
Cy Pres distributions	694		694
Special events			
Gross Proceeds	54,349		54,349
Direct Expenses	(31,928)		(31,928)
TOTAL PUBLIC SUPPORT	971,079	(58,000)	1,029,079
Other Revenue			
Program services fees	21,245		21,245
Investment Income	9,652		9,652
TOTAL OTHER REVENUE	30,897		30,897
TOTAL REVENUE	1,001,976	58,000	1,059,976
Expenses			
Grants from Government Agencies	832,911		832,911
Grants and Contributions	85,388		85,388
Net assets released from restriction	109,295		109,295
TOTAL EXPENSES	1,027,594		1,027,594
CHANGE IN NET ASSETS	(25,618)	58,000	32,382
NET ASSETS BEGINNING OF YEAR	940,575	74,000	1,014,575
NET ASSETS, END OF YEAR	\$ 914,957	132,000	1,046,957

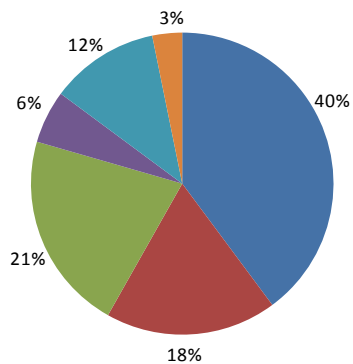
Expenses by Category



Fundraising	\$108,035
Administration	\$84,747
Program Services	\$824,480

Data from ALCC's 2008/2009 audited financial statements

Revenues by Category



Ryan White Part A	\$381,237
Other Vouchered Grants	\$177,069
Foundations	\$206,240
Law Firms/Corporations	\$55,050
Individuals/Events	\$113,102
Miscellaneous	\$30,897

ALCC's 990 forms can be found online at www.guidestar.com

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Paralegal
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Paralegal
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