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

<table>
<thead>
<tr>
<th>Year</th>
<th>Cases</th>
</tr>
</thead>
<tbody>
<tr>
<td>FY 2008</td>
<td>857</td>
</tr>
<tr>
<td>FY 2009</td>
<td>993</td>
</tr>
</tbody>
</table>
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 retro-active 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.*
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.
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%.

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.

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

<table>
<thead>
<tr>
<th></th>
<th>FY’06</th>
<th>FY’07</th>
<th>FY’08</th>
<th>FY’09</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cases</td>
<td>76</td>
<td>81</td>
<td>89</td>
<td>125</td>
</tr>
</tbody>
</table>
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.
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.

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.
Individual Support*

$5,000 +
Christopher Dickinson
& Joe Datu

$2,500—$4,999
T. & Eva Janzen Powell
Edward Jeske
& John Heranim
Randall Ward

$1,000—$2,499
Glenn A. Arakaki
Alan Brodie
Eric D. Christoff
Steven Coursey
Ann & Bill Fisher
Linella Gavin
Jordan Heinz
Robert Jespersen
Glenn W. Kaun
Joshua Lee
Michael Leppen
Steven Levin
Tony Neuhoff
Robert Saqueton
Itay Shalev
Richard Wilson
Charles Wintersteen
Chad Zawitz

$500—$999
Geoffrey Anderson
Karen & Kimball Anderson
Robert Berner
Beth Bollenbach
Jon Bradshaw
Donal Budzinski
Gregory Cameron
Bernard Cherkasov
Hon. Thomas Chiola
Ricardo Cifuientes
Linda Coon
Daniel Coyne
Thomas Dunn
Jonas Fisher
George Gibson
& John Darey
Derrick Harden
Robert Harris
Emile Karafiol
Daniel Lange
Jean Langle
Martin Malin
Ronald Marmer
Condon McGlothlen
Christine Muckle
Susan Rogers
Melissa & Tom Samuels
Melanie Sikorski
Susan Fisher Yellen
Julianne Hartzell
Michael Herman
Jeffrey Janson
Nick & Donna Knuth
John Kralovec
Jorge Leon
Aurea Luzano
Kevin McGirr
Patricia Miller
Craig Nadborne
Robert Oldfield III
Jim Pickett
Lori Pierson
Gloria Pruzan
Nabeela Rasheed
Phillip Reich
Mary Szpur
Benno Weisberg
Michael Woolever

Kirkland & Ellis
Mark Hamill
James Thibodeau

Winston & Strawn
Vanessa Zimmer

Elmer Stahl Kelvorn & Solberg
Jonathan Wier

Benefits Compliance Group
Tonya Moore

Foley & Lardner
Tom Mikrut

Krasnow, Saunders &
Comblath
Robert Brunner
Ryan Liebl
Karin Prangley

Pro Bono Support

Sidley Austin LLP
Gerald Angst
Ashwin Janakiram
Bill Patterson

McDermott Will & Emery LLP
Mennatallah Eltaki
Aron Frakes
Eugene Garmize
Tiffini Hines
Patrick McCurry
Rich Meyers
Todd Solomon

* 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**
- Jenner & Block LLP
- Marshall Gerstein & Borun LLP
- Anonymous

**$2,500—$4,999**
- Reed Smith LLP
- Mayer Brown LLP
- Schiff Hardin LLP

**$1,000—$2,499**
- Salvi Schostok & Pritchard PC
- Abbott Laboratories
- McCaffery Interests
- McDermott Will & Emery LLP
- Wintersteen & Dunning

### Foundation Support

**$50,000 or greater**
- Family & Children’s AIDS Network (FCAN)
- Lawyers Trust Fund of Illinois
- United Way of Metropolitan 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
- Edison Lima & Samba 1 Dance Group
- Brad Lewis & Luis Leon
- Horseshoe Casino

### Media Sponsor

- Windy City Times
- Chicago Free Press
Financial Report

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

<table>
<thead>
<tr>
<th>Revenues &amp; Other Support</th>
<th>Unrestricted</th>
<th>Temporarily Restricted</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Public Support</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Grants from Government Agencies</td>
<td>$558,307</td>
<td></td>
<td>$558,307</td>
</tr>
<tr>
<td>Grants and Contributions</td>
<td>315,657</td>
<td>132,000</td>
<td>447,657</td>
</tr>
<tr>
<td>Net assets released from restriction</td>
<td>74,000</td>
<td>(74,000)</td>
<td></td>
</tr>
<tr>
<td>Cy Pres distributions</td>
<td>694</td>
<td>694</td>
<td></td>
</tr>
<tr>
<td><strong>Special events</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gross Proceeds</td>
<td>54,349</td>
<td>54,349</td>
<td></td>
</tr>
<tr>
<td>Direct Expenses</td>
<td>(31,928)</td>
<td>(31,928)</td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL PUBLIC SUPPORT</strong></td>
<td>971,079</td>
<td>(58,000)</td>
<td>1,029,079</td>
</tr>
<tr>
<td><strong>Other Revenue</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Program services fees</td>
<td>21,245</td>
<td>21,245</td>
<td></td>
</tr>
<tr>
<td>Investment Income</td>
<td>9,652</td>
<td>9,652</td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL OTHER REVENUE</strong></td>
<td>30,897</td>
<td></td>
<td>30,897</td>
</tr>
<tr>
<td><strong>TOTAL REVENUE</strong></td>
<td>1,001,976</td>
<td>58,000</td>
<td>1,059,976</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Expenses</th>
<th>Unrestricted</th>
<th>Temporarily Restricted</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grants from Government Agencies</td>
<td>832,911</td>
<td></td>
<td>832,911</td>
</tr>
<tr>
<td>Grants and Contributions</td>
<td>85,388</td>
<td>85,388</td>
<td></td>
</tr>
<tr>
<td>Net assets released from restriction</td>
<td>109,295</td>
<td></td>
<td>109,295</td>
</tr>
<tr>
<td><strong>TOTAL EXPENSES</strong></td>
<td>1,027,594</td>
<td></td>
<td>1,027,594</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Change in Net Assets</th>
<th>Unrestricted</th>
<th>Temporarily Restricted</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>(25,618)</td>
<td>58,000</td>
<td></td>
<td>32,382</td>
</tr>
</tbody>
</table>

| 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 (11%)
- Administration: $84,747 (8%)
- Program Services: $824,480 (81%)

Data from ALCC’s 2008/2009 audited financial statements

**Revenues by Category**

- Ryan White Part A: $381,237 (40%)
- Other Vouched Grants: $177,069 (12%)
- Foundations: $206,240 (21%)
- Law Firms/Corporations: $113,102 (18%)
- Individuals/Events: $55,050 (6%)
- Miscellaneous: $30,897 (3%)

ALCC’s 990 forms can be found online at www.guidestar.com
Board of Directors & Staff

President
Charlie Wintersteen, Esq.
Wintersteen & Dunning

Secretary
Tonya Wilkes Moore, Esq.
Benefits Compliance Group

Treasurer
Randall Ward
Investment Manager Advisors

Directors
Jody Adler, Esq.
Community Economic Development Law Project

Bernard Cherkasov, Esq.
Equality Illinois

Jordan Heinz, Esq.
Kirkland & Ellis LLP

Reena Jashnani, Esq.
Sidley Austin LLP

Jean M. Langie, Esq.
Vedder Price Kaufman & Kammholz

Joshua D. Lee, Esq.
Schiff Hardin LLP

Christine Muckle, Esq.
Sidley Austin LLP

T. Smith Powell
McMaster Carr

Daniel T. Robinson, M.D.
Children’s Memorial Hospital

Todd Solomon, Esq.
McDermott Will & Emery LLP

Richard Wilson, Esq.
Grund & Leavitt, P.C.

Chad Zawitz, M.D.
Cermak Health Center

Legal Staff

Executive Director
Ann Hilton Fisher

Staff Attorney
Ruth Edwards

Staff Attorney
Colleen Boraca

Communities of Color Outreach Advocate
Dale Green

Case Manager
Justin Hayford

Paralegal
Kate Miller

Paralegal
Steven Barrera

Paralegal
Lindsee Redmond

Administrative Staff

Director of Development
Ricardo Cifuentes

Community Outreach Coordinator
Anne Schmidlin

Office Administrator
Kevin Beane

Administrative Assistant
Maria Duque
Address

Loop Office:
180 N. Michigan Avenue
Suite 2110
Chicago, IL 60601
(312) 427-8990
(312) 427-8419 fax

CORE Center Office:
2020 W. Harrison Street
Room 4-260
Chicago, IL 60612
(312) 572-4766
(312) 572-4804 fax

www.aidslegal.com
www.alcc-legalpad.blogspot.com