

AIDSLaw of Louisiana, Inc.

2009 FINAL REPORT

Grant No. 2009-0002

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During 2009, AIDS Law of Louisiana, Inc. (hereinafter "AIDS Law") continued to provide significant legal, outreach, education and advocacy services throughout the entire State of Louisiana. During that year, some of AIDS Law's operations were funded by IOLTA Grant No. 2009-0002. The final approved IOLTA budget for 2009 was \$43,231.00, and AIDS Law used these funds as indicated in the final (pre-audit) budget report, as outlined in Attachment I.

Throughout 2009, AIDS Law has continued to provide services to the many indigent persons living with HIV/AIDS that have HIV-positive related legal difficulties. Additionally, through presentations, publications and outreach activities, the organization has provided information on HIV-related legal issues to medical and social services providers who work directly with persons living with HIV/AIDS, and to agencies and community based organizations that serve people with HIV/AIDS.

#### CLIENT DEMOGRAPHICS

Due to differences in funding, AIDS Law collects client statistics differently for clients living in the eight parishes surrounding New Orleans (Jefferson, Orleans, Plaquemines, St. Bernard, St. Charles, St. James, St. John and St. Tammany). In the New Orleans area, AIDS Law helped 939 clients in 2009. In the remaining 56 parishes outside the New Orleans metropolitan area, AIDS Law served 391 clients in calendar 2009, for a total of 1330 clients. Clients are eligible for AIDS Law's services if they are Louisiana residents; have HIV/AIDS; and earn less than 200% of the federally established poverty level, 300% in the Baton Rouge area, or 400% in the New Orleans region. All clients served in 2009 were Louisiana residents and met financial eligibility guidelines. In addition, as directed by AIDS Law's Mission Statement, all clients served in 2009 were infected with the HIV virus.

In 2009, AIDS Law served clients in every major metropolitan area, and in all Public Health Regions as defined by the Office of Public Health. AIDS Law has had an increased presence in the Baton Rouge area due to the extremely high rate of infection in that region – New Orleans currently ranks second in the nation and Baton Rouge ranks third in AIDS case rates. In 2009, 70% of the clients lived in the New Orleans area (Public Health Region I), a figure not drastically different from 1999, where 77% of AIDS Law's clients came from New Orleans. In comparison, clients from the Baton Rouge area comprised only 3.7% of the total in

1999, but increased dramatically in 2000 to 19.3%, due in large part to increased presence in the area through an additional scheduled on-site visit every month. In 2003, due to a third monthly on-site visit, the figure had increased to 34.5% of total clients (due to database reporting restrictions, AIDS Law is unable to determine the percentage of its clients in 2009 that came from the Baton Rouge area). In late 2008 office space was secured in Baton Rouge is now staffed with a full-time office manager, Tammie Gosa.

In the past few years, AIDS Law has also experienced a dramatic shift in the demographics of its client base from primarily white males to a larger minority-based clientele. For example, in the New Orleans metropolitan area for 2009, 50% of all of AIDS Law's clients were African-American, while Caucasians accounted for 39% of overall clients and Hispanic persons accounted for 11% of all clients. In the 56 parishes outside the New Orleans area, 45% of all clients seen in 2009 were African-Americans, Caucasians accounted for 29% of overall clients, and Hispanics accounted for .7% of all clients (these figures do not add up to 100% because some clients reported more than one race).

The HIV virus continues to affect more women in Louisiana and across the nation. In 2009, for the ninth consecutive year, women constituted over 20% of AIDS Law's clients. In the New Orleans region, women constituted 19% of all clients, but in the 56 other parishes women accounted for 36.5% of all clients, as compared to 37.8% in 2008, and 39.5% in 2007.

## TYPES OF SERVICES

Throughout its history, AIDS Law has made it a priority to adapt services to the needs of the infected population of Louisiana. When the agency was started, most HIV/AIDS cases in Louisiana were in the New Orleans area, and the majority of the agency's clients were white men, often close to death. These clients most frequently needed help with estate planning. By 2009, clients come from every part of Louisiana, over 23% of clients were women, over half of the clients were African-Americans, and most were not close to death. During the same interval, medical advances made access to health care critical for people living with HIV/AIDS. Simply put, as HIV/AIDS has become more of a chronic but manageable disease, people die without health care, while they have a good chance of surviving if they receive it. As the progression of the AIDS pandemic has changed, AIDS Law's services have also changed from a

focus on estate planning for the terminally ill to a multifaceted effort to ensure access to health care for clients in order to prolong their lives. Obtaining public benefits is the best service AIDS Law can provide to clients who are chronically poor and cannot afford health insurance or health care.

Although notarial services remain the most requested services, there has been significant growth in requests for assistance with obtaining public benefits. In 2009, for the seventh consecutive year, more clients were assisted with public benefits than with estate planning. Statistics also reveal that more staff time was spent on public benefits cases than in any other service area outside of New Orleans (approximately 48% of staff time in the non-New Orleans areas, approximately 15% of staff time for clients from the New Orleans region).

As in previous years, AIDS Law provided a broad range of legal services. In 2009, the most common categories of service *outside* the New Orleans area<sup>1</sup> were:

Public Benefits.....	148 clients
Notarial Services.....	132 clients
Estate Planning/Successions.....	87 clients
Discrimination .....	16 clients
Insurance/Employee Benefits.....	8 clients
Debtor/Bankruptcy.....	5 clients
Confidentiality and Transmission.....	5 clients
Other.....	42 clients

(Please note that figures add up to more than 391 clients since some clients received more than one type of service.)

In the New Orleans metropolitan area in 2009, the most common categories of service were:

Notarial Services.....	1,511.75 hours
Public/Private Benefits.....	293.50 hours
Estate Planning/Successions.....	112.75 hours
Discrimination .....	16.25 hours
Debtor/Bankruptcy.....	9.75 hours

Please refer to Attachment II - IV for specific breakdowns concerning the above categories, as well as the Louisiana Bar Foundation form set forth as Attachment V.

In 2005, AIDSLaw received funding from Baptist Community Ministries (BCM) to assist clients with initial Social Security disability applications. The revenue from BCM was designed to fund most of the supervising attorney's salary, half of the full-time staff attorney's salary, part of the paralegal's salary, ten percent of the executive director's salary, some fringe benefits for the three positions, a portion of the facility's rent, part of the financial audit, medical records, and part of the telephone and postage expenses. The BCM contract became effective August 1, 2005 and was a three year grant. AIDSLaw received an extension to this grant that expired June 30, 2009.

AIDSLaw has once again found its own office space, located in New Orleans' Mid-City neighborhood which is staffed from 9 a.m. to 5 p.m. five days a week, where it was easily accessible by car or public transit. Recognizing the convenience and valuable services provided to clients when the agency was located with the NO/AIDS Task Force, AIDSLaw attorneys continue to hold office hours two days a week at that agency. AIDSLaw attorneys also provide services one morning per week at the LSUHSC HIV Outpatient (HOP) Clinic, continuing a relationship that began in the wake of Hurricane Katrina. These changes have provided mutual clients with the benefit of a one-stop shop for services the three agencies can provide. AIDSLaw also sees clients from all other AIDS service organizations in the New Orleans area, and has continued its program of off-site visits to regional AIDS service organizations to see clients in other areas of the State. In addition, AIDSLaw now has a Baton Rouge office which is staffed full-time and where attorneys can meet privately with clients.

## OUTREACH SERVICES

ALL continued to provide outreach services in 2009 at numerous community based AIDS service organizations throughout the State. AIDSLaw attorneys make regular monthly visits to GO-CARE in Monroe, Acadiana CARES in Lafayette, Southwest Louisiana AIDS Council (SLAC) in Lake Charles, CLASS in Alexandria, and the Philadelphia Center in Shreveport. In the Baton Rouge area, where infection rates are catching up to those in New

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<sup>1</sup> This includes demographics from some Baton Rouge clients, but we did not have a categorical breakdown for

Orleans, an AIDS Law attorney makes three visits a month - one day per month to Family Service in Baton Rouge, a second day at Volunteers of America, and a third day at HAART. Due to the increasing client need in Baton Rouge, AIDS Law acquired office space near HAART in late 2008 and has regular office hours at that location where an attorney can see clients by appointment. AIDS Law attorneys also go upon request to other service providers, and attend special functions to meet potential clients who might be too reticent to contact an attorney directly, or who do not realize that they have legal concerns that need addressing.

To ensure that clients outside the New Orleans metropolitan region continue to have access to AIDS Law's services, AIDS Law has a toll-free number with statewide service. AIDS Law also has 24-hour voice mail to make sure that calls placed after hours are not missed. Clients also increasingly contact AIDS Law through electronic mail and gather information about the agency and services through its website.

Before the 2005 hurricanes, AIDS Law coordinated the efforts of almost 100 volunteer attorneys throughout the State who could help clients. Updating and reestablishing this network has been an important job in 2009, since this aspect of the legal services program at AIDS Law is such a crucial element in assuring that the thousands of Louisiana citizens affected by HIV and AIDS receive prompt and competent legal representation. To date, we have re-established contact with almost half of those attorneys.

Homebound/non-ambulatory outreach efforts are of great importance to AIDS Law's clients due to the extreme physical deterioration that many of them experience. AIDS Law attorneys have a long record of providing services on-site at almost all medical facilities in New Orleans, as well as throughout the State. In other parts of the State, AIDS Law has provided services in the past at Moss General Regional Hospital in Lake Charles, E.A. Conway Hospital and Franciscan House in Monroe, LSU Medical Center in Shreveport, Huey P. Long Medical Center in Alexandria, University Hospital in Lafayette, and several hospitals and nursing homes in Baton Rouge. Storm damage in New Orleans curtailed services at Charity Hospital and other institutions, but since the storms AIDS Law attorneys have been to most reopened hospitals in the affected area to help clients. Additionally, AIDS Law attorneys have been providing services on-site at the HOP Clinic in New Orleans once a week. AIDS Law also has a long history of

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other Baton Rouge clients.

collaborating with residential programs for people with AIDS in all areas of the State and AIDS Law attorneys also go to see seriously ill clients in their homes and at hospices.

AIDS Law continues to focus on substance abuse issues in response to the increased number of clients who are HIV-positive and dealing with drug addiction and/or alcoholism. Due to the unique legal issues facing this population, AIDS Law prepared a pamphlet in 1999 entitled, HIV and Substance Abuse: A Legal Guide for Social Workers. In addition, HIV and Criminal Liability, published in 2002, specifically discusses liability for sharing needles. An additional pamphlet, HIV and Substance Abuse, which addresses the myriad legal problems surrounding substance abuse for persons infected with HIV, was originally published in 2003 and recently reprinted.

In order to foster coordination of HIV-devoted resources, AIDS Law's operations manager, Samuel Ashley, currently serves on the New Orleans Regional AIDS Planning Council. Additionally, AIDS Law has a representative at each of the Baton Rouge Advocacy Council and Provider meetings.

As in past years, AIDS Law has continued to work with other organizations to reach and provide legal services to a broad and extremely diverse clientele. In order to coordinate efforts among fellow non-profit legal groups, AIDS Law's executive director, Stacey LaFleur, serves on the Access to Justice Committee of the Louisiana State Bar Association. Ms. LaFleur also serves on the board of the Louisiana AIDS Advocacy Network (LAAN), an organization that seeks to promote changes in HIV/AIDS related issues in an advocacy setting.

## EDUCATION

As part of its mission to educate the general public on issues surrounding HIV disease, in 2009 AIDS Law provided presentations to audiences throughout the State. These included presentations to social workers and case managers who work with HIV-positive individuals. In addition, as part of the expansion of services for clients seeking disability benefits, AIDS Law has developed a program to educate social workers and case managers about the Social Security system so they can better assist their clients with initial applications and thereby expand capacity in this area. AIDS Law attorneys have also trained social workers to handle Social Security disability hearings when short notice has precluded a client's ability to retain counsel.

AIDSLaw staff attorneys also work closely with Delta Regional AIDS Education and Training Center in New Orleans, providing frequent training for medical professionals and students regarding HIV and the law. ALL attorneys also contribute articles to that organization's newsletter, The Clinician, a publication for health care professionals serving people with HIV. Recent topics include: when advance medical directives are needed; and how to protect medical confidentiality when under subpoena.

As part of its outreach and education programs, AIDSLaw has developed a website (<http://www.aidslaw.org>), designed free of charge by a former board member. The website contains information about AIDSLaw, its services, eligibility requirements, the board of directors and staff, and upcoming events and links to other agencies and resources. Many of AIDSLaw's publications also are now available on-line in both html and pdf formats. In addition, AIDSLaw is linked to the statewide website that connects Louisiana non-profit legal providers.

AIDSLaw's most recent financial report from December 31, 2008 is attached as Attachment VII.

In summary, this year's project has adequately and thoroughly met the required goals and objectives as set forth in the grant proposal and in IOLTA Grant No. 2009-0002.