This workshop was held at the 2018 Equal Justice Conference in San Diego, California.

Title:

**Multi-faceted Approach to Increasing Seniors' Access to Justice in Rural Communities**

**Presenters:**

Catherine Clayton, West Tennessee Legal Services, Jackson, TN

Ashley Holliday, West Tennessee Legal Services, Inc., Jackson, TN

Ann J. Pruitt, Tenneesee Alliance for Legal Services, Nashville, TN

Addressing unmet legal needs of largely rural, rapidly growing aging population thru a combination of 1) cutting edge (TIG grants) and basic (senior-friendly website enhanced with printable fact sheets, comprehensive state-wide resource list, videos, and brochures) technology; 2) targeted outreach & 3) state-wide collaboration with stakeholders throughout TN.
Multifaceted Approach to Increasing Seniors’ Access to Justice in Rural Communities
More Rural = Higher Poverty + Less Resources

https://www.census.gov/quickfacts/fact/map/TN/IPE120216#viewtop
More Rural = More Age 65+ (Usually)

https://www.census.gov/quickfacts/fact/map/TN/AGE775216#viewtop
Seniors Falling in “The Justice Gap”

- Older adults struggle with rising housing and health care bills, inadequate nutrition, lack of access to transportation, diminished savings, and job loss.

- Approximately 6.4 million seniors have family incomes below 125% of the Federal Poverty Level (FPL)

- Over 25 million Americans aged 60+ are economically insecure—living at or below 250% of the FPL

For older adults above the poverty level, one major adverse life event can change today’s realities into tomorrow’s troubles.

Sources:

The most common types of civil legal problems for low-income seniors’ households include: health (33%), consumer and finance (23%), income maintenance (13%), and wills and estates (12%).

Low-income seniors seek professional legal help for 19% of their civil legal problems, receiving inadequate or no professional legal help for an estimated 87% of all their problems.

The top reasons low-income seniors give for not seeking legal help include
- Not knowing where to look or what resources were available (22%)
- Deciding to deal with problem on their own (21%)
- Not having time (19%)
- Wasn’t sure if it was a legal issue (17%)

The Justice Gap Widens in Rural Areas

Barriers include:

- Physical Isolation
- "Holy Hush", especially in the Bible Belt
- Lack of Transportation
- Lack of Mental Health and Social Service Resources
- Lack of lawyers and fulltime judges
- Less tolerance
- Limited/no options
- Limited connectivity
- No separation between home and workplace
- Frequent and extended periods of economic stress

…and there are many more
According to ACS 5-year estimates, Tennessee’s age 60+ population increased 29.9% from the 2000 Census, from 942,620 to 1,224,186. At the same time, Tennessee’s age 85+ population increased 22%, from 81,465 to 99,917. [https://www.tn.gov/assets/entities/aging/attachments/TN_State_Plan_on_Aging_2017-2021.pdf](https://www.tn.gov/assets/entities/aging/attachments/TN_State_Plan_on_Aging_2017-2021.pdf)

60+ population is exploding in WTLS’ 17 county primarily rural service area.

<table>
<thead>
<tr>
<th>Year</th>
<th>Total Population</th>
<th>Age 60 or older</th>
<th>% age 60 or older</th>
</tr>
</thead>
<tbody>
<tr>
<td>2020</td>
<td>533,140</td>
<td>158,995</td>
<td>29.80%</td>
</tr>
<tr>
<td>2030</td>
<td>549,749</td>
<td>183,285</td>
<td>33.34%</td>
</tr>
</tbody>
</table>

*Population Projections from the Boyd Center for Business & Economic Research, UT Knoxville Haslam School of Business [http://tndata.utk.edu/sdcpopulationprojections.htm](http://tndata.utk.edu/sdcpopulationprojections.htm)
Great Resources, But . . .

Preliminary data collected for Tennessee’s Model Approaches Grant Senior Legal Needs Assessment (July 2017) shows

- 19% Knew about AAADs (Area Agencies on Aging and Disability)
- 17% Knew about Legal Aid

We have great but dated information and limited financial resources/personnel. How can we realistically get the word out?
### Age 65+ More Digitally Connected

- 4 in 10 (42%) own smart phones
- Senior smart phone use quadrupled in last 5 years
- 67% use the internet (55% increase in less than 2 decades)
- 58% say technology has mostly positive effect on society
- 3/4 of internet-using seniors go online daily; 1 in 10 go online “almost constantly”

### Challenges

- 73% need help using new electronic devices
- Face unique barriers
  - Physical challenges
  - Lack of confidence in their digital skills and trustworthiness of online information
- Need clear and easily accessible help to use digital technology
- Seniors age 80+ much less likely to be connected

Opportunity: Eldertrust Settlement - HOW IT CAME ABOUT

➤ How it started: Tennessee Attorney General brought actions for judicial dissolution and appointment of receivership against two Tennessee nonprofits, SeniorTrust of Florida, Inc. (SeniorTrust), and ElderTrust of Florida, Inc. (ElderTrust), both of which were incorporated by a substantial shareholder in National Healthcare Corporation (NHC) and National Health Investors, Inc. alleging the two nonprofits were unable to meet their charitable purposes, which were to operate facilities for the elderly.
Opportunity: Eldertrust Settlement- HOW IT CAME ABOUT

- **Bad Acts alleged:** Appointed Receiver, after investigation, files suit with Attorney General’s Approval against NHI and NHC seeking damages and other remedies for alleged improper actions. Suit alleged in part that NHI and NHC formed the two Tennessee nonprofits “for their private benefit, no public purposes, and that they had significantly overcharged the nonprofits.

- **April 2013 Settlement:** all nursing homes owned by SeniorTrust and ElderTrust sold; proceeds from those sales as well as certain funds on deposit with the trial court and agreed payments from NHC and NHI deposited with the Receiver.
Opportunity: Eldertrust Settlement Part I

- $5 million entrusted to Community Foundation of Middle Tennessee
- 281 Organizations invited to apply
- 121 nonprofits and governmental agencies received grants to increase capacity to serve Tennessee Seniors
  - **Legal Aid of East Tennessee (LAET)** developed and implemented series of legal education presentations and Senior Legal Needs Check-Up
  - **West Tennessee Legal Services (WTLS)** expanded senior-friendly, senior-specific access to legal help via [www.TnSeniorlaw.org](http://www.TnSeniorlaw.org), senior-friendly portal providing readily available information on legal issues important to seniors, including PDF printable factsheets, brochures on areas of high interest, and instruction brochures
WTLS’ Goal: Create Senior-Specific, Senior-Friendly Website

- Provide Helpful, Reliable, Updated, Accessible (and Accessed) Legal Information for Tennessee Seniors
  
  • Updated legal information relevant to Seniors in plain language question and answer form
  
  • Enhanced with short informative videos, downloadable PDF Fact Sheets, brochures, and printed instructions.
  
  • [www.tnseniorlaw.org](http://www.tnseniorlaw.org) accessible via one-click button from [www.wtls.org](http://www.wtls.org)
  
  • Designed website to be senior-friendly using guidelines from the National Institute on Aging and National Library of Medicine.
  
  • Distributed information about website to senior centers and libraries throughout 17 county service area.
Collaborate with Other Providers for Additional Resources

Simultaneously and Strategically Increase Capacity to Provide Legal Assistance to Seniors

www.tnseniorlaw.org was made possible by Serving Tennessee Seniors-administered by The Community Foundation of Middle Tennessee at the request of the Chancery Court. WTLS thanks the Tennessee Bar Association for its permission to use The Legal Handbook for Tennessee Seniors (2014 edition) as a primary information source. This publication is supported, in part, by funds provided by the Southwest Area Agency on Aging and Disability, the Tennessee Commission on Aging and Disability, and the U.S. Department of Health and Human Services.
Opportunity: Eldertrust Settlement: Part 2

Through the efforts of the Court and a group of five philanthropic organizations who provide expertise, process developed to accept and then carefully vet statewide proposals in four specific areas for innovation, ability to implement, and sustainability.

Four areas selected based upon statewide need and a history of limited resources:

• Senior Legal Assistance
• Senior Affordable Housing
• Senior Transportation
• Senior Dental
Opportunity: Eldertrust Settlement: Part 2

- $5.5 million awarded to the Tennessee Senior Legal Services Consortium (Consortium) for TALS (Tennessee Alliance for Legal Services) and the four LSC-funded non-profit law firms covering all 95 Tennessee counties to work together in a statewide network to provide critically needed legal assistance and education to seniors in all 95 counties.

- Consortium is
  - building and combining individual programs’ resources
  - partnering with other organizations serving seniors to strengthen and expand services to reach the most rural and underserved areas of Tennessee
Multifaceted Approach to Increasing Seniors’ Access to Justice in Rural Communities

Cathy Clayton, Executive Director
Ashley Holliday, Deputy Counsel and Managing Attorney, Senior Citizens Law Project
West Tennessee Legal Services
cbclayton@wtls.org
Ashley@wtls.org

Ann Pruitt
Executive Director
Tennessee Alliance for Legal Services
Apruitt@tals.org
Multifaceted Approach to Increasing Access to Justice in Rural Communities
Ann Pruitt, Executive Director, Tennessee Alliance for Legal Services
apruitt@tals.org, (615) 775-9684;
Ashley Holliday, Deputy General Counsel and Managing Attorney, Senior Citizens Law Project, West Tennessee Legal Services
ashley@wtls.org (731-426-1302;)
Catherine Clayton, Executive Director, West Tennessee Legal Services
cbclayton@wtls.org (731-426-1311

Brief Description: This session will explore addressing unmet legal needs of largely rural, rapidly growing aging population thru a combination of 1) cutting edge (TIG grants) and basic (senior-friendly website enhanced with printable fact sheets, comprehensive state-wide resource list, videos, and brochures) technology; 2) targeted outreach & 3) state-wide collaboration with stakeholders throughout TN.

Program Goals (what you will learn):

Participants will learn how to leverage existing limited resources and identify new avenues for resources to
(a) Increase accessibility to information and services;
(b) Increase capacity to provide legal services strategically; and
(c) Promote availability of services and information so that target population is reached.

Topical Outline:

I. Identifying Barriers and Solutions to Access to Justice in Rural Communities w/ Focus on Aging Population

II. High and Low Tech Tools

III. Statewide Collaboration and Leveraging of Resources
Notes:

Bibliography & Website Links:

www.tnseniorlaw.org
www.wtls.org
www.tals.org


www.pewinternet.org/2017/05/17/tech-adoption-climbs-among-older-adults/


Please submit outlines no later than April 6, 2018 to ejcmaterials@nlada.org ls@nlada.org
Multifaceted Approach to Increasing Access to Justice in Rural Communities
Ann Pruitt, Executive Director, Tennessee Alliance for Legal Services
apruiitt@tals.org, (615) 775-9684;
Ashley Holliday, Deputy General Counsel and Managing Attorney, Senior Citizens Law Project, West Tennessee Legal Services
ashley@wtls.org (731-426-1302;
Catherine Clayton, Executive Director, West Tennessee Legal Services
cbclayton@wtls.org (731-426-1311

Brief Description: This helpline case study will explore addressing unmet legal needs of largely rural, rapidly growing aging population thru a combination of 1) cutting edge (TIG grants) and basic (senior-friendly website enhanced with printable fact sheets, comprehensive state-wide resource list, videos, and brochures) technology; 2) targeted outreach & 3) state-wide collaboration with stakeholders throughout TN.

Program Goals (what you will learn):
Participants will learn how to leverage existing limited resources and identify new avenues for resources to
(a) Increase accessibility to information and services;
(b) Increase capacity to provide legal services strategically; and
(c) Promote availability of services and information so that target population is reached.

Topical Outline:
I. Identifying Barriers and Solutions to Access to Justice in Rural Communities w/ Focus on Aging Population
II. High and Low Tech Tools
III. Statewide Collaboration and Leveraging of Resources
Notes:

Bibliography & Website Links:

www.tnseniorlaw.org

www.wtls.org

www.tals.org


www.pewinternet.org/2017/05/17/tech-adoption-climbs-among-older-adults/


Please submit outlines no later than April 6, 2018 to ejcmaterials@nlada.org, ls@nlada.org