



2022 Annual Report

Protection & Advocacy in Utah





**Matthew
Wappett**
President

Dear DLC Stakeholders and Supporters;

It's been my privilege to serve as the DLC Board President for the past two years, and during that time much has changed, but much has also remained the same. I began in my role just after the COVID pandemic started and about the same time as the big Salt Lake earthquake damaged the old DLC building. It was a busy and trying time! It has been my privilege to work with Adina and the rest of the DLC team to figure out how to shift their operations to keep staff and clients safe over the past few years. Although the debates about masks and vaccination are now slowly fading into the background, these issues around health and safety for individuals with disabilities were first and foremost in our thoughts and planning. The DLC played an important role in pushing these protections to ensure the health and

safety of individuals with disabilities in Utah. The Board of Trustees was actively engaged in many of these discussions and provided input and guidance as needed to help the DLC adapt and accommodate staff and client needs during the pandemic. In looking back it's clear that the DLC grew and thrived during the pandemic; in many areas, the DLC was actually able to expand their services and impact! Under Adina's leadership, we were able to hire a new Legal Director (Laura Henrie), and the DLC successfully moved into their beautiful new accessible office space. The DLC is now more visible and more engaged than ever before, and they continue to make important strides in protecting the rights of people with disabilities in Utah. I wish that I could take credit for some of these things, but the truth is that all of the good stuff that is happening at the DLC is due to the outstanding leadership of Adina and her team. The pandemic has changed all of us, but it hasn't changed the fact that the DLC is a cornerstone of disability rights advocacy in Utah, with a committed staff who are passionate about protecting the rights of people with disabilities. I am grateful for the opportunity I have had to work with them.

Sincerely,

Matthew Wappett
President

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The DLC has a Protection and Advocacy for Individuals with Mental Illness (PAIMI) Council. Their role is to advise the DLC on the priorities and policies which guide its work to protect and advocate for the rights of Utahns with mental illness. Anyone interested in serving on the PAIMI Council, please review the information available at disabilitylawcenter.org/paimi-recruitment/.

A few important facts and figures...



We provided **individualized legal advice and representation** to

1,625
individuals

In fiscal year 2022,
DLC helped
3,606
individuals...



We also provided
crucial information, resources,
and self-advocacy help to

941
callers



Our social media,
where we share **factsheets,**
urgent disability information,
and **advocacy education**
reached over

80,000
followers



...of those **19**
individuals,

involved **litigation** with the potential
to **impact any current and future**
Utahns with disabilities facing
similar issues



Charley's Search for a Fair Public Education

The day after finalizing Charley's Individualized Education Plan (IEP), her mother, Christy, was abruptly told that Charley, a first grader with ADHD and some developmental delays, had been unenrolled.

Christy had carefully selected this online school program because she wanted what was best for her daughter, and the school had stated they specialize in IEPs for students in an online program, a must for ensuring that Charley's educational needs were met in a fair and appropriate manner.

Christy worked with the school for a month to create the IEP, and was shocked when all of that was gone in a moment, with no notice. She reached out to our Education team, who jumped into action.

On Charley's behalf, a DLC attorney filed an Individuals with Disabilities Education Act (IDEA) complaint with the state. A state investigator found that the school had violated the law by failing to implement her IEP and unenrolling her

instead of considering how her IEP services would allow her to catch up, all of which meant that she was denied her right to a free and appropriate public education.

With these findings, the school was required to undergo training on IEP requirements, and Charley is being compensated for the education hours she lost.

When asked about navigating this challenge, Christy said, "Be knowledgeable about what your child's rights are, and what they should be offered in their IEP plan."

The DLC firmly believes all students deserve an equitable public education, and there is still a lot of work to be done to ensure that those rights are protected for students with disabilities.

"Do better for your children, for these kids. Take more time for these special needs kids and see what they require for their plan, instead of just throwing together what might work for the school."



“ Take more time for these special needs kids and see what they require for their plan, instead of just throwing together what might work for the school.”



Advocating for Adequate Community-based Staffing

Toward the end of 2021, the staff shortages that were hitting many industries nationwide began to take a toll on the State's Home and Community-Based Services (HCBS) providers due to low wages, which are set by the Utah State Legislature. More than 6,000 people with disabilities across the state of Utah in HCBS became unable to access services or were at risk of losing their services, which are vital to ensuring they remain in their communities rather than more institutional settings. Many families rely on these services to keep their loved ones at home or nearby. Without appropriate staff, the risk for abuse and neglect goes up, and families and individuals in services that could not find providers were forced into crisis situations, such as potential homelessness.

“ I know this will directly increase the quality of life for people in services.”

The DLC's Community Integration Team and Public Policy Team began to fear for the collapse of the service system for people with intellectual and developmental disabilities in Utah. We heard the pleas from individuals, families, and HCBS providers, and we knew we must take action. The Teams pulled together a coalition with providers, sister agencies, and other community groups. In addition, they coordinated meetings and strategy around press coverage, legislative advocacy, and community outreach.

Due to these efforts, the Utah State Legislature approved a historic investment in the service system for people with developmental disabilities, including \$24 million ongoing funding for a provider rate increase, along with the \$6 million in waiting list funding. Through these efforts we were able to help community providers get funding to raise wages from ~\$11-12/hr to \$16/hr and move approximately 400 people off the list.

“I know wages are not the only piece of solving this problem, but for direct care workers around the state, [the DLC's] work gives them the ability to feel valued for the amazing work they do and feel like worthy human beings paid appropriately for a very challenging job,” said Chris Larson, Executive Director of Imber Services, a HCBS provider. “I know this will directly increase the quality of life for people in services.”

Ensuring Access to Effective Communication

When Linda walked into the phone store (name redacted) to set up a phone line on her tablet, she didn't expect to wait hours, be ignored in favor of hearing customers, and be denied an ASL interpreter when dealing with the complexities of new technology and a contract.

But that's what happened.

Linda spent hours in that store, passing written English notes back and forth in an attempt to get the technology she needed to communicate. When she requested an interpreter, she was told that the notes were sufficient, despite the fact that ASL is a distinctly different language from English. For a native ASL speaker, written English requires translation on their part that can cause a communication barrier, particularly when covering intricate, terminology-laden topics.

This method was not only time consuming and confusing, but the employees did not prioritize the conversation as they did with hearing customers in the store. Several times, the employees she was attempting to communicate with through notes would leave and help hearing customers. Because

of all of these difficulties and the breakdown in communication, Linda ended up with a device that did not work how she needed, and was locked into a contract that both didn't fit her expressed desires and did not include the discount she had requested and was entitled to.

Linda contacted the DLC after the store failed to provide her effective communication, even when she tried to advocate for herself. An attorney on our Access and Rights team stepped in, and was able to get the contract ended without penalty and a refund from the store, and Linda is now happily able to use her device through a contract with a company she is more comfortable with. But the systemic issue remains.

"We hear, 'We'll do our best, we will try our best,' but we don't see that enacted," said Linda, when asked about this experience.

Deaf Utahns have a right to equal access to communication when going about their daily lives. Language accessibility should be a planned for priority, not a piecemeal attempt thrown together at the last moment.

"Some of these laws aren't strong enough. They aren't providing the protections we always need."



“ We hear, ‘We’ll do our best, we will try our best,’ but we don’t see that enacted.”



Revenue by Source

Protection & Advocacy for Developmental Disabilities	\$414,977	4.69%
Protection & Advocacy for Individuals with Mental Illness	\$454,123	6.07%
Protection & Advocacy for Assistive Technology	\$60,685	2.15%
Protection & Advocacy for Traumatic Brain Injury	\$50,000	1.77%
Protection & Advocacy for Voting Access	\$98,850	3.50%
Protection & Advocacy for COVID	\$17,451	0.62%
Protection & Advocacy for Individual Rights	\$186,177	6.59%
Client Assistance Program	\$115,474	4.09%
Protection & Advocacy for Beneficiaries of Social Security	\$84,069	2.98%
Protection & Advocacy for Beneficiaries with Representative Payees	\$192,962	6.83%
Fair Housing Initiatives Program	\$409,601	14.50%
Non-Federal Funding	\$741,093	26.23%
Total.....	\$2,825,462	

Expenses

Program Services	\$2,407,933	88.88%
Administrative	\$300,623	11.10%
Fundraising	\$656	0.02%

Total Expenses **\$2,709,212**

A New Home for the DLC

The DLC was on the move in 2022. After 20 years in our building on 400 West, we moved into our new building, the James B. Lee Justice Center, a completely remodeled building at 960 South Main Street. The new space builds on the history of, and provides new and better ways for, “and Justice for all” partners — Disability Law Center, Legal Aid Society of Salt Lake, and Utah Legal Services — to serve the most vulnerable populations in our communities. In 1999, the three agencies established “and Justice for all” as an innovative collaboration to raise funds and streamline civil legal aid services in Utah. The agencies provide free and low-cost legal aid to 30,000 people a year.

The new building is named after James Bracken Lee, who was a community leader with a lifelong commitment to justice and the law. Lee also had a fierce love of community and a belief in service to others that showed in his many charitable efforts. He was one of the earliest supporters of “and Justice for all” and offered guidance as the organization grew. He was a mentor of many young lawyers and a committed supporter of bringing more women lawyers into the field.



“We are excited for this new chapter for the Disability Law Center in providing high-quality, pro bono legal aid to Utahns with disabilities,” said Executive Director, Adina Zahradnikova. “We are honored to share a building with our partners of 23 years at ‘and Justice for All,’ and we could not be prouder to be in a building named for such a prestigious member of our legal community. We will always cherish the memories, the successes,

and the challenges we had in our old home, but now we look forward to building new memories, achieving more successes, and continuing the fight for the rights of Utahns with disabilities in our new home.”

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Questions?

We're always here to help!

 (800) 662-9080

 disabilitylawcenter.org

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