

OFFICE OF STATE GUARDIAN

A Substitute Decision Maker

“protecting persons with disabilities who cannot protect themselves...”

The Office of State Guardian (OSG) will assume guardianship of an adult with disabilities, if appointed, when alternatives to guardianship have been exhausted; the appointment of a guardian is necessary; and family or friends are incapable or unwilling to serve as guardian.

The purpose of adult guardianship is to provide substitute decision making for medical treatment, medication, residential replacement, money management and direct care planning.

This Division has responsibility for nearly 5,400 wards, and serves over 10,000 clients annually, who are persons with a wide range of disabilities. They may be persons with chronic mental illness, developmental disabilities, age-related disabilities, or profound illness.

In addition, the OSG manages over \$3 million of its wards' assets, ensuring appropriate expenditures and investments of their funds.

The expertise of the Office of State Guardian allows it to monitor and advocate for appropriate medical and rehabilitative services unique to each disability and each client.

Many wards live in community settings for persons with mental illness or developmental disabilities; others live in nursing homes or state operated institutions throughout the state. Safeguarding their welfare is a challenging and painstaking process.

LEGAL ADVOCACY SERVICE

Legal Assistance For Persons With Disabilities

“securing for individuals with disabilities their constitutional and statutory legal rights...”

The Legal Advocacy Service (LAS) was created so that eligible children and adults, who have a disability, could obtain legal advice and representation to protect and enforce their rights guaranteed by Illinois' mental health laws.

LAS attorneys provide needed assistance to persons with disabilities in a variety of settings: mental health facilities, residential programs, community placements, and nursing homes. Issues addressed include, but are not limited to: admission to and discharge from hospitalization, adequate treatment, refusal of unwanted services and confidentiality of mental health records.

Illinois courts often appoint the Legal Advocacy Service to represent persons with disabilities. Many LAS cases result in published opinions which educate other mental health law attorneys, shape the manner in which future hearings are conducted and create precedents for future court decisions.

Many LAS clients cannot afford to hire a private attorney to represent them. Few lawyers in the private sector in Illinois practice and have expertise in the representation of persons with mental illness or developmental disabilities.

The Legal Advocacy Service provides assistance to thousands of individuals with disabilities each year. This assistance takes the form of information, referrals, and legal representation in court hearings and administrative proceedings.

HUMAN RIGHTS AUTHORITY

Volunteers in Action: Citizens Helping Citizens

“investigating alleged rights violations against persons with disabilities...”

The Human Rights Authority (HRA) of the Commission is actually nine separate authorities. Each of these regional authorities has nine volunteer members appointed by the Commissioners.

The HRA investigates complaints of alleged violations against disability laws. The Authority offers a free forum that permits negotiation with providers and avoids the confrontation of a court room. Issues that are not amenable to the legal process can also be addressed. The Authority serves eligible children and adults who have a disability.

The HRA is not an enforcement agent. The Authority attempts to ensure the rights of persons with disabilities through fact-finding investigations of complaints which can be made by anyone. Many of the investigations focus on systematic problems — those affecting more than one recipient.

Issues addressed include, but are not limited to: treatment in the least restrictive environment; right to communication by mail, telephone and visitation; and confidentiality of records.

Each year, the Authority recommendations, which are adopted by service providers, affect thousands of recipients.

OFFICES OF THE DIRECTOR

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ILLINOIS GUARDIANSHIP AND ADVOCACY COMMISSION

An executive agency
created to safeguard the rights
of persons with disabilities through
three programmatic divisions:

Office of State Guardian

Legal Advocacy Service

Human Rights Authority

Supporting Illinois' citizens

with disabilities

