



with sponsorship from Central California Legal Services

proudly present the

Fresno Traveling Training 2009

November 17-18, 2009

Piccadilly Inn University
4961 N. Cedar Avenue
Fresno, CA 93726
(559) 224-4200



LAAC's 2009 Fresno Traveling Training

Background Information:

In response to training needs identified at the "Connecting the Dots" 2001 Annual Stakeholders Meeting, the Legal Aid Association of California (LAAC) offers a yearly series of Traveling Trainings designed to bring high-quality substantive trainings to advocates in Sacramento, Fresno, the Inland Empire, and San Diego. The 2009 Fresno Training is LAAC's 11th Traveling Training in seven years, and its fifth training in Fresno.

Traveling Trainings introduce advocates to a range of Support Center expertise, with trainers from throughout California presenting workshops on diverse substantive issues, skills, and hot topics. Those attending earn MCLE credit in workshops on areas ranging from public benefits to housing and disability rights, from services for seniors to issues affecting children & youth, from critical issues facing immigrants to interactive skills-based sessions—and much more!

Without the generous participation of the following Support Centers, the LAAC Traveling Trainings would not be possible. LAAC is deeply grateful for the time and expertise they share.

California Advocates for Nursing Home Reform
California Rural Legal Assistance Foundation, Inc.
California Women's Law Center
Center for Human Rights & Constitutional Law
Child Care Law Center
Coalition of California Welfare Rights Organizations
Disability Rights Education & Defense Fund
Immigrant Legal Resource Center
Impact Fund
Insight Center for Community Economic Development

Legal Services for Prisoners with Children
National Center for Youth Law
National Health Law Program
National Housing Law Project
National Immigration Law Center
National Senior Citizens Law Center
Public Interest Clearinghouse
Public Interest Law Project
Western Center on Law & Poverty
WorkSafe
Youth Law Center

Agenda At-A-Glance

This schedule is subject to change. Please see program descriptions for more details about individual sessions. A final schedule will be available in the onsite printed program materials.

TUESDAY, NOVEMBER 17th

8:30a.m. - 9:00a.m.

- Conference Registration Opens
- Coffee and Pastries

9:00a.m. - 11:00a.m. -- Sessions #1

- Social Security and SSI: Fugitive Felon Settlement and Other Developments
- Access to Education for At-Risk Kids: Pregnant/Parenting Teens and Foster Care Youth
- Immigration Hot Topics

11:00a.m. - 12:30p.m. - Sessions #2

- Alphabet Soup: Benefits for Children in Foster Care: Part I
- Health Care for Low-Income Californians
- Constitutional Law for Legal Services Attorneys and Paralegals

12:30p.m. - 1:30p.m.

- Lunch and Speakers

1:30p.m. - 3:00p.m. -- Sessions #3

- Alphabet Soup: Benefits for Children in Foster Care: Part II
- Housing Rights for Tenants with Disabilities
- Immigrant Eligibility: Access to Public Benefits Including Subsidized Child Care

3:00p.m. - 3:15p.m.

- Break

3:15p.m. - 4:45p.m. -- Sessions #4

- Accessing Mental Health Services Through Special Education
- Health Care Grievance and Appeal Rights in California
- Drafting Effective and Admissible Declarations

WEDNESDAY, NOVEMBER 18th

8:30a.m. - 9:00a.m.

- Conference Registration Opens
- Coffee and Pastries

9:00a.m. - 10:30a.m. -- Sessions #5

- Protecting Domestic Violence Survivors' Housing Rights
- Additional Issues for At-Risk Children/Youth: STOP Teen Dating Violence and Stability for Children of Incarcerated Parents
- Problems with Reverse Mortgages, VA, Long Term Care Medi-Cal

10:30a.m. - 10:45a.m.

- Break

10:45a.m. - 12:15p.m. -- Sessions #6

- Providing Legal Services to Clients with Disabilities
- Ethics Issues for Community Lawyers
- In-Home Supportive Services: Changes for 2009

12:15p.m. - 1:40p.m.

- Catered Lunch and Roundtable Group Discussions

1:45p.m. - 3:15p.m. -- Sessions #7

- Hone Your Skills for Representing Clients in Administrative Hearings
- Protecting Clients in Foreclosed Homes
- No Capacity, No Family, Now What?

3:15p.m. -- Conference Ends

PROGRAM DESCRIPTIONS

DAY ONE, TUESDAY, NOVEMBER 17TH

9:00a.m. - 11:00a.m.

Social Security and SSI: Fugitive Felon Settlement and Other Developments

(2 hours MCLE)

Presenter: Gerald McIntyre, National Senior Citizens Law Center

Thousands of Californians who lost their Social Security or SSI because of an old arrest warrant are now eligible for reinstatement and millions of dollars in retroactive benefits as a result of the recent class action settlement in *Martinez v. Astrue*. This session will give advocates the tools they need to determine whether clients are members of the plaintiff class and, if so, to help them obtain maximum benefit. It will also cover other recent and future developments in Social Security and SSI to the extent time permits.

Access to Education for At-Risk Kids: Pregnant/Parenting Teens and Foster Care Youth

(2 hours MCLE)

Presenters: Jesse Hahnel, National Youth Law Center; Helenann Hirsch, California Women's Law Center

Part I: Common educational challenges facing foster youth and strategies for solving them.

This training provides an overview of some of the most common educational challenges facing foster youth and strategies for solving them. Topics include educational decision-making and an overview of AB 490.

Part II: Legal Rights of Pregnant and Parenting Teens

This training focuses on the civil and education rights of pregnant and parenting teens for students, their advocates, social services workers and legal service organizations, and school personnel. The training discusses the

educational rights of pregnant and parenting students, including their right to stay in school, participate in all extracurricular activities, and receive child care and confidential family planning services.

Immigration Hot Topics Panel

(2 hours MCLE)

Presenters: Erin Hernandez, California Rural Legal Assistance Foundation; Carlos Holguin, Center for Human Rights and Constitutional Law; Christopher Scherer, Center for Human Rights and Constitutional Law; Peter Schey, Center for Human Rights and Constitutional Law; Mark Silverman, Immigrant Legal Resource Center

This panel of Immigration Support Centers will go over many of the "hot topics" in immigration today, including citizenship and naturalization issues, family immigration, immigration benefits for abused women and crime victims, as well as discussions on comprehensive immigration reform and what IOLTA organizations can do in terms of immigration work.

11:00a.m. - 12:30p.m.

Alphabet Soup: Benefits for Children in Foster Care - Part I

(1.5 hours MCLE)

Presenters: Brian Blalock, Bay Area Legal Aid; Alice Bussiere, Youth Law Center; Angie Schwartz, Public Interest Law Program

This session will provide an overview of various federal and state benefit programs (including AFDC-FC, Kin-GAP, AAP, CalWORKS, SSI). The first half of the workshop will provide a basic overview of benefits for children in foster care.

PROGRAM DESCRIPTIONS

DAY ONE, TUESDAY, NOVEMBER 17TH

11:00a.m. - 12:30p.m.

Health Care for Low-Income Californians

(1.5 hours MCLE)

Presenter: Randy Boyle, National Health Law Program

NHeLP will train on health care programs in California. The training will include eligibility criteria, services, and client rights. We will also talk about recent cuts to Medi-Cal and Healthy Families as well as what happens on federal health care reform.

Constitutional Law for Legal Services Attorneys and Paralegals

(1.5 hours MCLE)

Presenters: Carlos Holguin and Peter Schey, Center for Human Rights and Constitutional Law

Many legal services attorneys and paralegals are experts in the substantive areas of the law in which they specialize, but have forgotten, or have not kept abreast of, developments concerning the constitutional rights of their clients. This training session will focus on the “due process” and “equal protection” rights of low-income clients who have suffered legal harm at the hands of Government agencies. Build your tool kit to more effectively represent your clients. All of your clients possess constitutional rights that you should recognize and better understand how and when these rights may be raised in discussions with Government agencies, as well as in administrative and judicial proceedings. Attend this work shop and become more of a constitutional law expert!

1:30p.m. - 3:00p.m.

Alphabet Soup: Benefits for Children in Foster Care - Part II

(1.5 hours MCLE)

Presenters: Brian Blalock, Bay Area Legal Aid; Alice Bussiere, Youth Law Center; Angie Schwartz, Public Interest Law Program

This session will provide an overview of various federal and state benefit programs (including AFDC-FC, Kin-GAP, AAP, CalWORKS, SSI). In the second half of the workshop, we will use case examples to delve more deeply into the complexities of benefits issues facing foster children, foster parents and relative caregivers including how to maximize benefits, understand the interplay between various benefit programs, and ensure youth gain access to benefits as they emancipate out of care, particularly SSI. Finally, this workshop will provide a tutorial on how legal services programs can incorporate benefits advocacy on behalf of youth in foster care into their practice.

Housing Rights for Tenants with Disabilities

(1.5 hours MCLE)

Presenter: Navneet Grewal, National Housing Law Project

Forty-one percent of families living in federally assisted housing include a person with a disability. Panelists will explain, through lecture and group participation in hypothetical situations, the laws providing for reasonable accommodation and how advocates can use the process to help clients obtain and remain in federally assisted housing. The training will touch on both basic reasonable accommodation issues as well as some of the more complicated issues, such as the direct threat exception to the right to accommodation.

PROGRAM DESCRIPTIONS

DAY ONE, TUESDAY, NOVEMBER 17TH

1:30p.m. - 3:00p.m.

Immigrant Eligibility: Access to Public Benefits Including Subsidized Child Care

(1.5 hours MCLE)

Presenters: Tanya Broder, National Immigration Law Center; Eve Hershcopf, Child Care Law Center

This session provides an overview of immigrant eligibility for the major benefit programs in California. Participants will review the immigration categories that are relevant for benefits purposes, the restrictions on immigrant eligibility for certain programs, as well as the programs that are available to immigrants regardless of their status. There will be a special focus on the legal issues affecting access to subsidized child care programs for immigrant families, including verification of immigration status, Social Security number and other documentation requirements, language access, and other barriers.

3:15p.m. - 4:45p.m.

Accessing Mental Health Services Through Special Education

(1.5 hours MCLE)

Presenter: Jesse Hahnel, National Youth Law Center

This training focuses on the interaction between the IDEA and AB 3632 and how advocates can ensure special needs youth are provided the therapeutic services they need to succeed in school. An in-depth look at what the law requires, what's happening on the ground, and what parents and advocates can do.

Health Care Grievance and Appeal Rights in California

(1.5 hours MCLE)

Presenters: Randy Boyle, National Health Law Program

NHeLP will train on grievance and appeal rights for people with Medi-Cal or private insurance, including Medi-Cal fair hearings and appeals to the Department of Managed Health Care.

Drafting Effective and Admissible Declarations

(1.5 hours MCLE)

Presenter: Jocelyn Larkin, Impact Fund

Most civil cases will never go to trial. Instead, cases are fought out on motions where your client's story and other evidence are presented in declaration form. So, which facts should you include in the declaration, how do you ensure that the declaration "sounds" like your client, and how do you satisfy the rules of evidence? This session will focus on drafting effective and admissible declarations for any kind of case and will include actual drafting and editing exercises for students.

MCLE Information:

Attendees can earn up to 11 hours of MCLE credit, including 1.5 hours of legal ethics.

MCLE credit for the Traveling Training is provided by the Legal Aid Association of California, a State Bar of California approved provider. For more information about LAAC trainings or to download another copy of this brochure, please visit www.CALegalAdvocates.org.

PROGRAM DESCRIPTIONS

DAY TWO, WEDNESDAY, NOVEMBER 18TH

9:00a.m. - 10:30a.m.

Protecting Domestic Violence Survivors' Housing Rights

(1.5 hours MCLE)

Presenter: Meliah Schultzman, National Housing Law Project

Many domestic violence survivors face eviction or are denied access to housing because of criminal acts of their abusers. Drawing on several case studies, this workshop will introduce claims under the Violence Against Women Act and the Fair Housing Act that can be used to challenge discriminatory practices or evictions. The workshop will also discuss how advocates can use state law to protect clients who need to break their leases due to domestic violence.

Additional Issues for At-Risk Children and Youth: STOP Teen Dating Violence and Stability for Children of Incarcerated Parents

(1.5 hours MCLE)

Presenters: Carol Strickman, Legal Services for Prisoners with Children; Sarah Kroll-Rosenbaum, California Women's Law Center

Part I: S.T.O.P. Teen Dating Violence
This training comes from our School Training, Outreach, and Policy (S.T.O.P.) Teen Dating Violence Initiative. Teen dating violence is a serious problem. It affects both heterosexual and homosexual relationships, and crosses ethnic, racial, cultural and economic lines. And, teens tend to accept and conform to traditional sexual stereotypes in greater numbers than adults, and mistake controlling behavior for romantic love. The basic need to belong and be validated by one's peers creates a situation ripe for control, intimidation, and violence. Women between the ages of 16 and 24 suffer

the highest per capita rates of domestic violence. The training will cover the legal responsibilities that schools have to address teen dating violence, and will discuss a model teen dating violence policy that the schools could address.

Part II: The California Legislature recently Adopted Senate Concurrent Resolution No. 20, which encourages the distribution of the Children of Incarcerated Parents Bill of Rights, and discussion about its contents. This workshop will use that document as a framework for this presentation, with particular focus on Right no. 8: "I have the right to a lifelong relationship with my parent." Most children of incarcerated parents want to maintain a relationship with that parent. This issue arises in divorce cases, establishment of parental rights cases, guardianships, dependency proceedings and even adoptions.

Problems with Reverse Mortgages, the Veterans' Aid and Assistance Program and Long-Term Care Medi-Cal

(1.5 hours MCLE)

Presenter: Prescott Cole, California Advocates for Nursing Home Reform

Elders seeking legal advice are being misled about the advantages and the true costs of reverse mortgages, the dangers of boiler plate living trusts, and the potential for being scammed when they apply for VA Aid and Assistance benefits. Senior service providers need to educate and protect their senior clients from being financially abused. This presentation will focus on how reverse mortgages, living trust traps, and the activity of financial predators working the VA Aid and Assistance program impact seniors' financial independence and ability to qualify for Long-Term Care Medi-Cal.

PROGRAM DESCRIPTIONS

DAY TWO, WEDNESDAY, NOVEMBER 18TH

10:45a.m. - 12:15p.m.

In-Home Support Services: Changes in 2009

(1.5 hours MCLE)

Presenter: Anna Rich, National Senior Citizens Law Center

This training will provide a quick review of IHSS basics and then explain the changes that have occurred in the program and offer advice for advocates to maximize clients' hours and eligibility. It will also address changes in Adult Day Health Care.

Providing Legal Services to Clients with Disabilities

(1.5 hours MCLE)

Presenter: Linda Kilb, Disability Rights Education and Defense Fund

Legal services programs themselves are required to comply with federal and California disability rights laws. This training will provide an overview of these basic legal requirements, as well as offering practical tips for ensuring access to our services for people with disabilities.

Ethics Issues for Community Lawyers

(1.5 hours MCLE - Legal Ethics)

Presenters: Jenny Chung and Kamil Chaudhary, Insight Center for Community Economic Development

Working in the community on community-led projects presents a number of ethical issues for lawyers. These include identifying the client, defining the scope of representation and communicating when the representation has ended. This session will explore community lawyering scenarios that commonly present ethics issues and discuss risk-management techniques.

12:15p.m. - 1:40p.m.

Lunch Discussion Groups (No MCLE)

Join us for lunch roundtable groups on nonprofit development, welfare emergency assistance, and more! Sessions facilitated by the Public Interest Clearinghouse, the Coalition of California Welfare Rights Organizations, and more! More details to be emailed in November!

1:45p.m. - 3:15p.m.

Hone Your Skills for Representing Clients in Administrative Hearings

(1.5 hours MCLE)

Presenter: Fran Schreiber, Kazan McClain Lyons Greenwood & Harley; Michael Smith, Worksafe

Worksafe attorneys and allies with extensive experience in a variety of administrative settings—Cal/OSHA, DLSE, public employment relations boards, the National Labor Relations Board, and others—will provide practical instruction and tips on how to effectively interview your clients and witnesses, prepare an administrative complaint, examine and cross-examine witnesses, and present documentary evidence in administrative hearings.

Protecting Clients in Foreclosed Homes

(1.5 hours MCLE)

Presenters: Catherine Bishop, National Housing Law Project; Lynn Martinez, Western Center on Law & Poverty

This session provides an overview of the new state and federal protections for private and subsidized tenants living in foreclosed properties. The training includes dealing with illegal move-out proposals and evictions, including the filing of appropriate unlawful detainer motions and affirmative unlawful detainer defenses. The workshop also includes a discussion of strategies that local government and public housing authorities can take to protect tenants victimized by foreclosure.

No Capacity, No Family, Now What?

(1.5 hours MCLE)

Presenter: Tony Chicotel, California Advocates for Nursing Home Reform

What do attorneys do when they have a potential client with questionable capacity and no representative? This training will review the merits of various options for assisting clients with no capacity and no representative, focusing primarily on the determination of capacity and financial and health care decision-making. We will also carefully examine social and government resources that may be available to help. Finally, we will assess an attorney's ethical obligations in representing clients with questionable capacity.



REGISTRATION FORM

Please complete **BOTH** this Registration Form and the Course Selector Form and return with payment to the Legal Aid Association of California by November 10, 2009. To download more forms, visit www.CALegalAdvocates.org

Registration Information

REGISTRATION DEADLINE: NOVEMBER 10, 2009
CANCELLATION DEADLINE: NOVEMBER 11, 2009

Name _____

Organization/Affiliation _____

Title _____

Address _____

City, State, and ZIP _____

Telephone _____

Email _____

State Bar Number _____

Yes, I request a vegetarian lunch.

Disability Accommodations:

To request accommodations related to a disability, please check here and also call Vivian Chen at 415-834-0100 x312

Cancellation Policy:

Registration cancellations must be received no later than **November 11, 2009**. Caterers require advance payment for meal costs by LAAC. Therefore, registration fees are nonrefundable if the cancellation is received after **November 11, 2009**. Attendees who register but do not pay nor attend will be invoiced for the full registration fee.

Resource Table: There will be a resource table at the training; Please feel free to bring materials to share.

Registration Fees and Payment

PLEASE CHECK ONE OF THE FEES BELOW

Not sure if you qualify for the LAAC Discount?

To view the 2009 list of LAAC Member Organizations and Individual LAAC Members, go to: www.CALegalAdvocates.org

Registration Fees (received by 11/10/09):

- \$120 Private Bar
- \$90 Nonprofit, courts, and government
- \$65 LAAC Discount (for staff at a LAAC member program or individual LAAC members only)

Late Registration Fees (received after 11/10/09 and only if space is available):

- Add an additional \$20 late fee to the registration fee checked above.

Total Enclosed: _____
(Payable to the Legal Aid Association of California)

Send completed Forms and Payments to:

***NOTE:** Our office will be moving at the end of October 2009. Please send your registrations to the appropriate address below, and accompany your mailed registration form with an email to vchen@pic.org, informing us of your registration. Thank you!*

REGISTRATIONS BEFORE OCTOBER 21, 2009:

LAAC (ATTN: Vivian Chen)
C/O Legal Aid Association of California
47 Kearny Street, Suite 705
San Francisco, CA 94108

REGISTRATIONS AFTER OCTOBER 21, 2009:

LAAC (ATTN: Vivian Chen)
C/O Legal Aid Association of California
433 California Street, Suite 815
San Francisco, CA 94104

Questions? Email Vivian Chen at vchen@pic.org or call 415-834-0100 x312

COURSE SELECTOR FORM

To register, please complete both this Course Selector Form and the Registration Form and return with payment to the Legal Aid Association of California by **November 10, 2009**. To download more forms, visit www.CALegalAdvocates.org

Name

Email

Course Selections:

Please help us plan by checking the boxes for the programs you wish to attend.
Only one program per timeslot.

DAY ONE: TUESDAY, NOVEMBER 17, 2009

9:00a.m. - 11:00a.m. -- Sessions #1

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- Access to Education for At-Risk Kids: Pregnant/Parenting Teens and Foster Care Youth
- Immigration Hot Topics

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3:15p.m. - 5:15p.m. -- Sessions #4

- Accessing Mental Health Services Through Special Education
- Health Care Grievance and Appeal Rights in California
- Drafting Effective and Admissible Declarations

DAY TWO: WEDNESDAY, NOVEMBER 18, 2009

9:00a.m. - 10:30a.m. -- Sessions #5

- Protecting Domestic Violence Survivors' Housing Rights
- Problems with Reverse Mortgages, VA, LTC Medi-Cal
- Additional Issues for At-Risk Children/ Youth: STOP Teen Dating Violence and Stability for Children of Incarcerated Parents

10:45a.m. - 12:15p.m. -- Sessions #6

- Providing Legal Services to Clients with Disabilities
- Ethics Issues for Community Lawyers
- In-Home Supportive Services: Changes for 2009

1:45p.m. - 3:15p.m. -- Sessions #7

- Hone Your Skills for Representing Clients in Administrative Hearings
- Protecting Clients in Foreclosed Homes
- No Capacity, No Family, Now What?

LAAC



Legal Aid Association
of California

*LAAC thanks the dedicated members of the
2009 Fresno Traveling Training Planning Committee:*

Jenny Chung

*Insight Center for Community
Economic Development*

Linda Kilb

*Disability Rights Education and
Defense Fund*

Michelle Ewert

Central California Legal Services

Starlene Parson

*Greater Bakersfield Legal
Assistance*

Eve Hershcopf

Child Care Law Center

Agnes Williams

Disability Rights California

Katherine Hogan

*California Rural Legal Assistance,
Inc.*

HOTEL INFORMATION:

**Piccadilly Inn University
4961 N. Cedar Avenue
Fresno, CA 93726**

While attendees are responsible for making their own arrangements, LAAC has negotiated discounted prices with the Piccadilly Inn University. If you will be staying overnight on either the 16th or 17th of November, LAAC has secured a block of rooms at a discounted rate. The hotel also has a free continental breakfast for guests, which includes scrambled eggs, danishes, bagels, coffee, and juice.

Please call 559-224-4200 and ask for "Legal Aid Association of California" to receive the special discounted rate of \$92/night. Rooms are very limited, so make your reservations soon!