

## ADVOCACY PRIORITIES

### Types of cases DRC may accept for legal representation or advocacy:

**Priority 1: Serious Abuse, Neglect or Exploitation:** DRC will provide advocacy, including investigations and monitoring, for the disability rights of Kansans who are at risk of, or have experienced serious abuse, neglect or exploitation.

**Priority 2: Community Services & Health Care:** DRC will provide advocacy for the disability rights of Kansans to access community-based services, supports and health care, including Medicaid, Medicare, mental health services, long-term care, and home and community-based services.

**Priority 3: Employment:** DRC will provide advocacy for the disability rights of Kansans who are experiencing barriers to employment.

**Priority 4: Community Integration:** DRC will provide advocacy for the disability rights of Kansans residing in institutions, and other restrictive settings, to assert their right to access appropriate services and supports in the most integrated setting.

**Priority 5: Accessibility:** DRC will provide advocacy for the disability rights of Kansans to remove physical and program barriers to an accessible society by protecting their rights under the ADA (Americans with Disabilities Act), the Rehabilitation Act, voting rights and other applicable disability rights laws.

**Priority 6: Special Education :** DRC will provide advocacy for Kansas students

(continued on right)



## What disability rights advocacy does DRC provide?

**Intake and Assessment** - DRC will provide an intake and assessment to determine what type of advocacy we can provide to you (legal representation, advocacy, technical assistance, or information and referral).

**Legal Representation** – A DRC attorney may represent Kansans with disabilities whose rights have been violated under state or federal law (ADA, Section 504, Medicaid Act, Fair Housing Act, etc.) and their issue fits within DRC's priorities, scope, capacity, etc.

**Advocacy Representation** – Non-legal representation where a DRC advocate works with and on behalf of the consumer in their disability rights needs.

**Self Advocacy** – Providing assistance and support to help Kansans with disabilities advocate for themselves in their disability rights issues.

**Information and Referral** – Connecting Kansans with disabilities with others who might be better suited to address their issues (when the needs of the consumer do not fit within DRC's priorities, scope, capacity, etc.).

### Examples of Legal Representation & Advocacy that DRC Does *Not* Do

- Workers Compensation cases
- Social Security eligibility or appeals
- Divorce cases
- Child custody or Child In Need Of Care cases
- Civil representation that does not relate to the legal or civil rights of an individual with a disability
- Estate planning
- Criminal representation
- Will drafting

### How does DRC decide if they will take my case?

DRC provides legal and advocacy representation to Kansans with disabilities. Because the disability rights representation needs of Kansans with disabilities are virtually unlimited, but DRC's funds are very limited, these are the main factors we examine when deciding whether we can provide representation:

- 1) You must be a qualifying person with a disability and you must have a disability rights issue (your rights as a person with a disability under state or federal law have been violated – the ADA, Section 504, etc.).
- 2) DRC must have funding and staff time available to properly serve your advocacy needs.
- 3) Your advocacy or legal representation needs must fall within our Advocacy Priorities. A summary of our Priorities is in this document.
- 4) What are the facts? What is the law? Because of DRC's limited resources, we focus on cases where both the facts of the case and the law involved are favorable, in order to increase DRC's ability to have a positive impact with your issue.



to enforce their right to special education and related services in the least restrictive environment and protect against inappropriate discipline involving behavior, which is a manifestation of the student's disability.

**Priority 7: Fair Housing:** DRC will provide advocacy for the disability rights of Kansans whose rights to housing have been violated under the Fair Housing Amendments Act, Rehabilitation Act or other applicable disability housing laws.

**Priority 8: Accountability of Guardians & Other Legal Decision Makers:** DRC will provide advocacy for the disability rights of Kansans to pursue alternatives to guardianship/conservatorship, to end guardianship/conservatorship when it is no longer necessary, to change guardians/conservators in cases of abuse or neglect, or to hold other legal decision makers (representative payees, trustees, etc.) accountable for violating the rights of the person with a disability.

**DRC's Outreach & Education Priority: Priority 9: Outreach & Education for the Public and Policymakers:** DRC will outreach to and educate the public and policymakers on disability issues in order to improve services in the most integrated setting as well as protect, advance and enhance the rights of Kansans with disabilities. [NOTE: This is not a priority for legal or advocacy cases].



EQUALITY ♦ LAW ♦ JUSTICE

This publication is not intended to provide specific legal advice. Please contact any attorney for advice or assistance based on your particular situation.

The Disability Rights Center of Kansas (DRC) is a private, 501(c) (3) nonprofit corporation, independent of both state government and disability service providers. Our independence allows DRC to focus on the needs of Kansans with disabilities, providing legal representation in disability rights matters and advocacy for protecting the rights of consumers in Kansas with disabilities under state or federal laws.

DRC is the official protection and advocacy system for Kansas. As such DRC is granted certain authority under federal law, including access to the places where a person with a disability receives services in order to conduct investigations of reports of abuse and neglect of Kansans with disabilities. DRC has both the authority to investigate abuse and neglect and the legal and advocacy services necessary to support the victim and obtain justice in court.

DRC obtains justice for people with disabilities. We are interested in the broad spectrum of disability rights issues including – abuse & neglect, public accommodations, employment, Medicaid, Home and Community Based Waiver services, and Vocational Rehabilitation. DRC fights for justice through negotiation, client advocacy, administrative hearings, court action, self-advocacy support and technical information assistance and referral. DRC's public policy advocacy efforts educate legislators, states government policymakers, the press and the public to promote disability rights in Kansas. Finally, DRC promotes outreach activities and training in order to educate people with disabilities about their rights.



DRC staff, disability advocates, and legislators at a bill signing with Governor Brownback.

## Who is Eligible for DRC Disability Rights Advocacy?

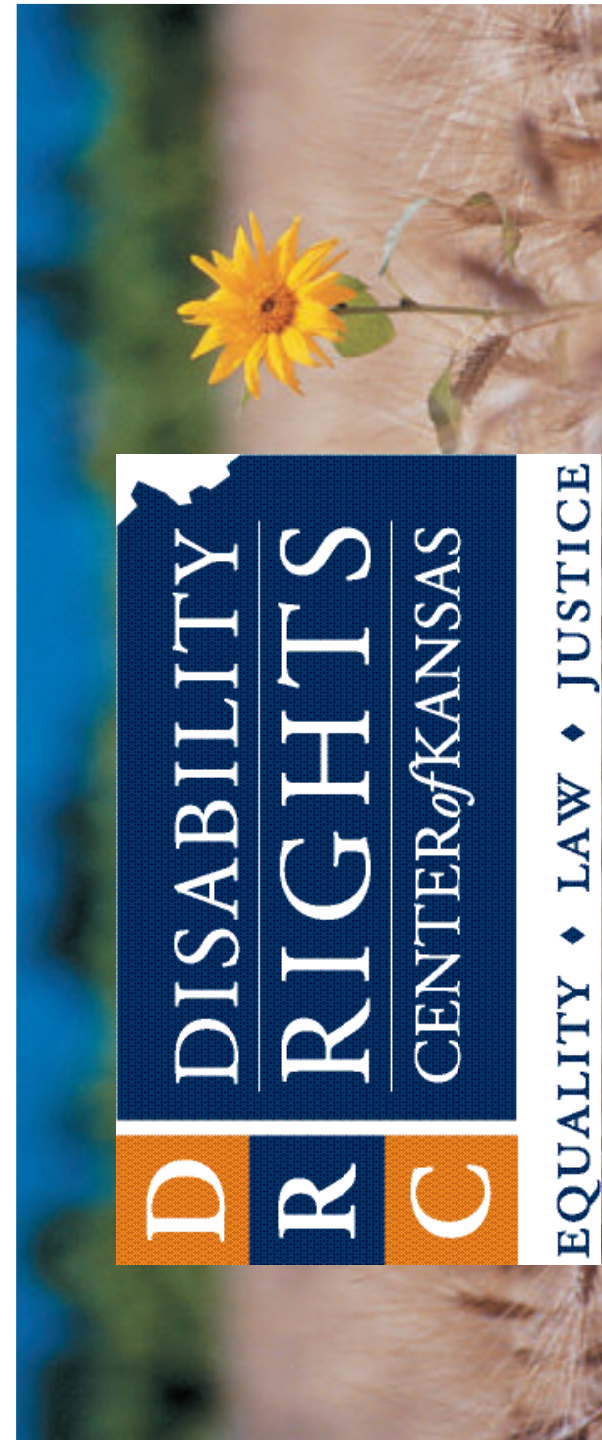
Almost every Kansan with a disability rights issue is eligible for some type of disability rights advocacy (Legal Representation, Advocacy, Self-Advocacy, or Information and Referral). Some laws and policies limit DRC's services to individuals that meet disability guidelines or specific needs. If we can't help you, we will try to find someone who can.

DRC provides disability rights advocacy for the civil and legal rights of Kansans with disabilities, including:

- Kansans with Developmental Disabilities.
- Kansans with significant mental illness or who are in a mental health facility.
- Kansans with Traumatic Brain Injury.
- Kansans with disabilities who need access to Assistive Technology.
- Kansans who are recipients of Supplemental Security Income (SSI) or beneficiaries of Social Security Disability Insurance (SSDI) who experience disability rights barriers to employment.
- Kansans with disabilities who need advocacy in order to exercise their right to vote under the Help America Vote Act.
- Kansans with other permanent disabilities, whose disability was not caused by the aging process.
- Kansans who are applicants or consumers of services funded by the Rehabilitation Act (Vocational Rehabilitation (VR), Independent Living Centers, etc.)



Photo by Matthew Huddleston  
The Garden City Telegram



## Contact DRC



EQUALITY ♦ LAW ♦ JUSTICE

**Disability Rights Center of Kansas**  
214 SW 6th Ave, Suite 100  
Topeka, Kansas 66603

**Questions? Contact DRC for assistance.**

785-273-9661,  
1-877-776-1541 (toll free voice),  
1-877-335-3725 (toll free TDD),  
FAX: 785-273-9414,  
by e-mail: [info@drckansas.org](mailto:info@drckansas.org),  
or visit our website: [www.drckansas.org](http://www.drckansas.org).

**DRC is the Official Protection and Advocacy System of Kansas**

This brochure is available in alternative formats.

The following federal funding partners shared in the entire cost of producing this brochure: The Administration for Community Living (grants 1701KSPADD, 1603KSVOTP, 1701KSPAAT and 1701KSPATB); the Center for Mental Health Services, Substance Abuse and Mental Health Services Administration (grant 3X98SM002097-17); the Rehabilitation Services Administration (grants H240A170017 and H161A170013); and the Social Security Administration (grant 6 PAB13020318-01-05). These contents are solely the responsibility of DRC and do not necessarily represent the official views of the Center for Mental Health Services, Substance Abuse and Mental Health Services Administration.