

# **ANNUAL REPORT FY2020**



**Safeguarding the rights of persons with disabilities**

**Dr. Mary L. Milano, Esq., Executive Director**  
**Anthony E. Rothert, Esq., Chairman**



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## **Executive Director's Message**

### **Dr. Mary L. Milano, Esq.**

On behalf of all the people of the Guardianship and Advocacy Commission, I welcome you to look back for a moment on 2020.

It was a year unlike any other before it. It was marked by a full year of working with a new administration that reiterated in so many ways its support for the provision of health and human services by every level of government to every segment of the population in Illinois, but most particularly those with vulnerabilities and those so frequently under-served in the past whenever times became challenging.

It was a year that marked new directions of collaboration across agencies and a sense of being one government, no matter what agency.

And of course, it was a year when everything about the way we had gone about delivering on the promises of our mission changed because of a pandemic.

We moved to working in different ways, and even though some of us—and GAC certainly—had introduced flexible and remote work options some time ago, we were faced with the challenge of effectively equipping our entire staff to work remotely and yet as or more efficiently than in the past, within days. We responded with determination across the Agency and with the dedication and imagination of staff across every segment of the Agency found ways, supported by the will, to dare to rise to the challenge.

It was a year unlike any other in so many ways, and yet for GAC in some ways it was a year that marked continuity with years prior, and in which we renewed again our pledge, carried out in new and challenging ways in each day of this year, to imagine explosively, collaborate actively and make the path we mark out to be one that knows no boundaries or walls and represents the best that all of you—staff, Commissioners, partners, clients, Legislators, and sometimes critics—can imagine as well.

## Agency Overview

The Illinois Guardianship and Advocacy Commission safeguards the rights of persons with disabilities by providing public guardianship services, legal representation, and a process to investigate alleged disability rights violations. The Commission was established by the Guardianship and Advocacy Act of 1979 (20 ILCS 3955/1 et seq.) and is governed by eleven Commissioners appointed by the Governor for three-year terms of office. Each Commissioner's selection reflects representation of a particular expertise, consistent with the Commission's mission to serve persons with disabilities.

The Commission carries out its mandates through the work of three primary programs, which receive support from a team of staff with expertise in areas that encapsulate the mission and vision of work for the citizens of Illinois.

- **Human Rights Authority (HRA)**
- **Legal Advocacy Services (LAS)**
- **Office of State Guardian (OSG)**

### OUR VISION

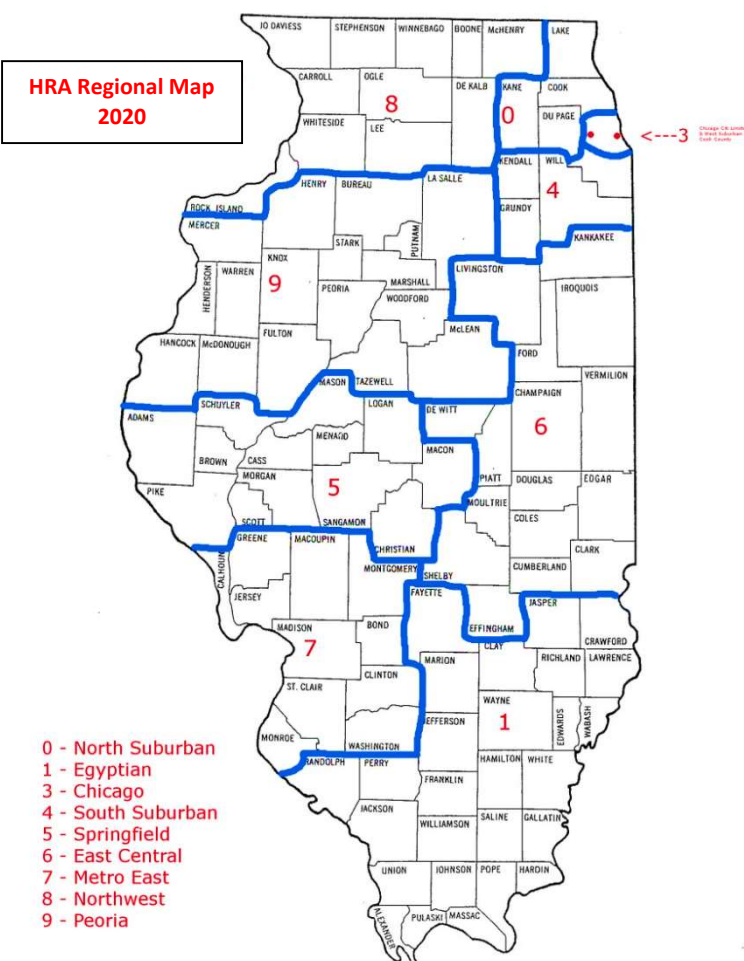
Ensure access to necessary guardianship and advocacy services for Illinois' citizens with disabilities with commitment to quality service provision by way of well- trained professional staff, dedication to public awareness of disability issues, advocacy for legislation and processes that have positive impacts on the agency, its services and its clients.

### OUR MISSION

To safeguard the rights of persons with disabilities by providing public guardianship services, legal representation, and processes to investigate alleged rights violations.

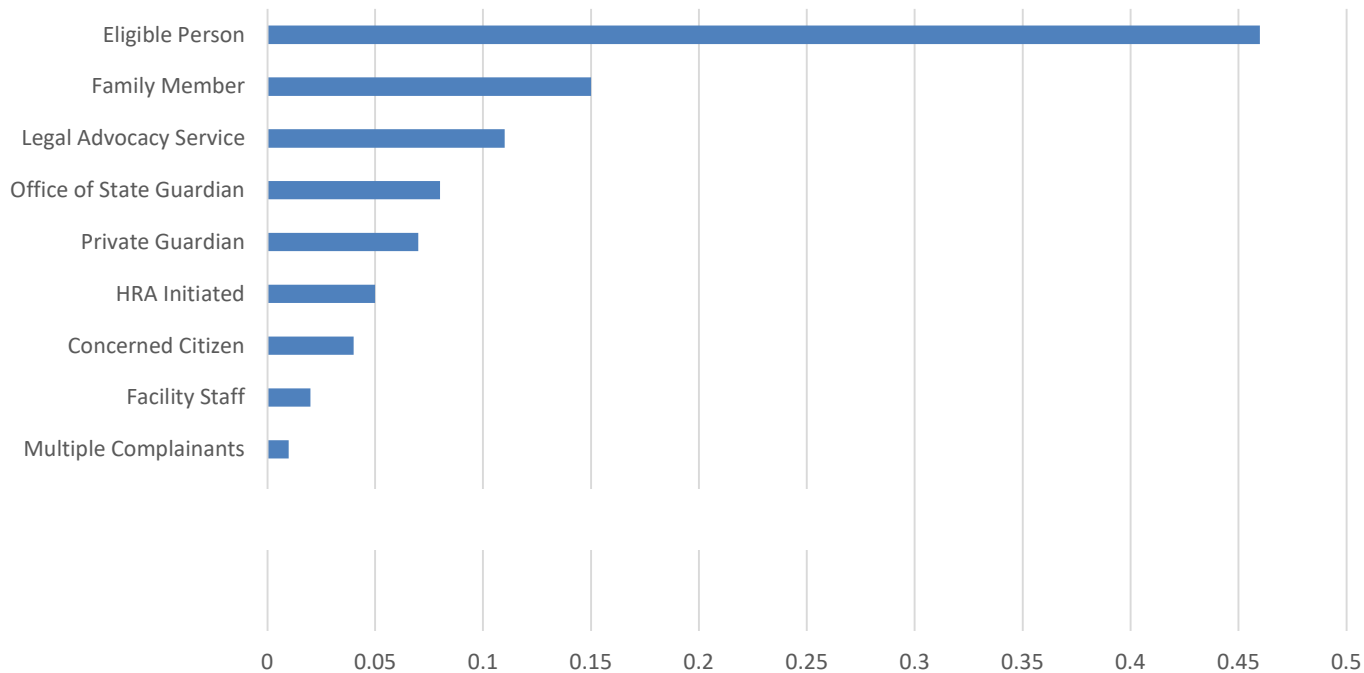
### 9 HRA coordinators

- 291 cases handled
- 184 intakes
- 1711 volunteer hours
- 37,463 persons with disabilities impacted by HRA recommendations.
- 89% of recommendations implemented by service providers.
- Average cost per person with disabilities impacted.

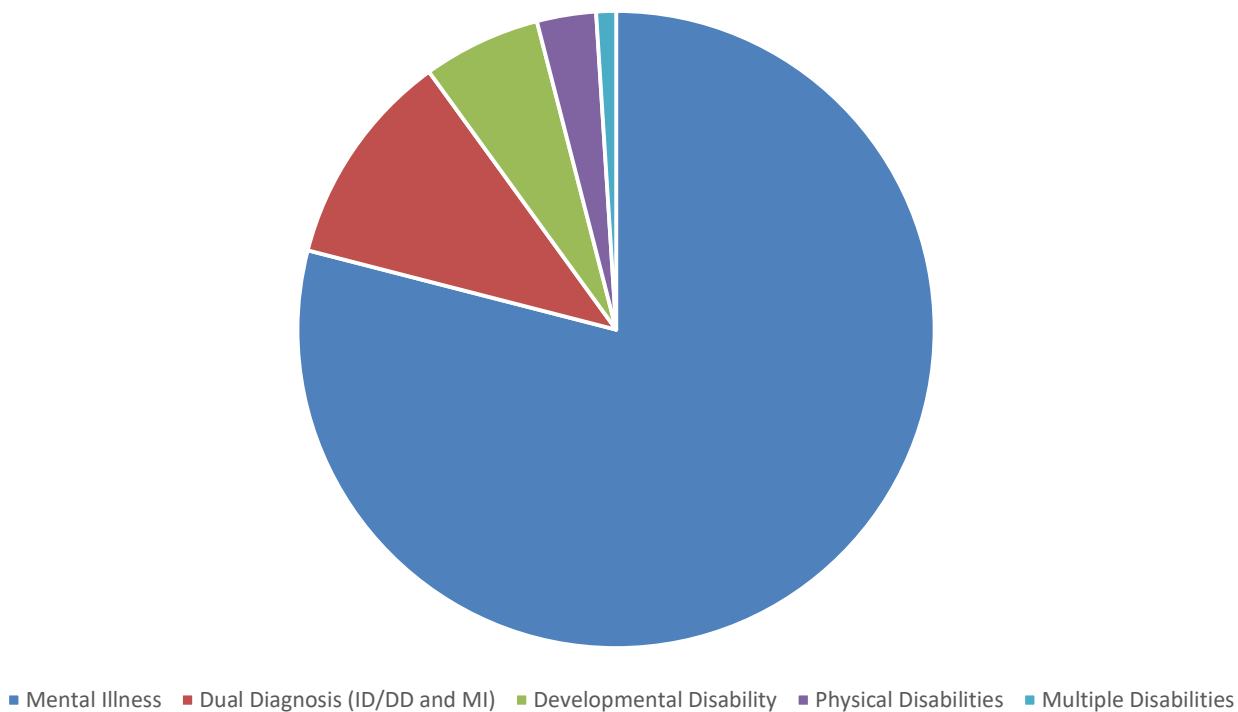


*The Human Rights Authority investigates allegations of rights violations committed by both public and private entities that serve children and adults with disabilities. Through its investigations and negotiated case outcomes, the Authority advocates for systemic changes to provider policies, procedures and practices that improve disability rights protections. Comprised of nine regional panels, located across the State, the Authority engages Illinois' citizens who serve, voluntarily, as members on the panels. Each region is staffed by a coordinator and nine volunteer members (81 total volunteers); each panel consists of three members who are service provider representatives and the remaining six members are consumers, family members or concerned citizens. The Authority provides a confidential and knowledgeable resource to refer complaints of disability rights protections and offers service providing agencies an objective means of resolving complaints without costly litigation. HRA findings are publicly released and can be accessed through the Commission website.*

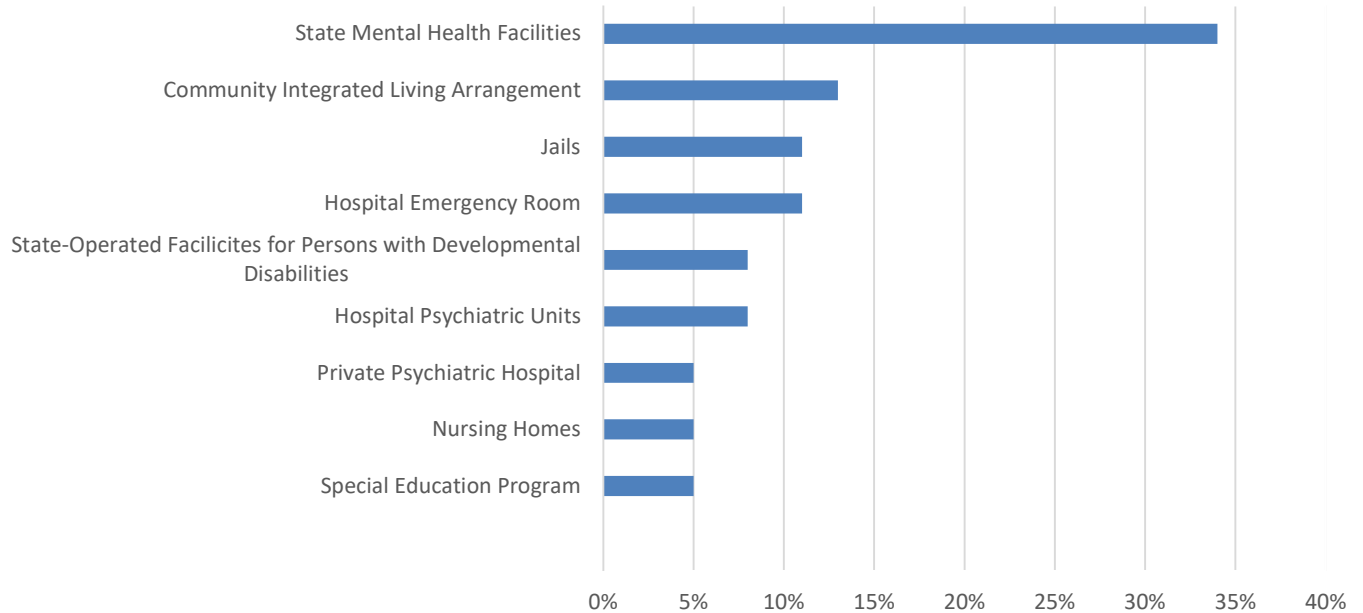
Categories of Complainants in FY 20 New HRA Cases



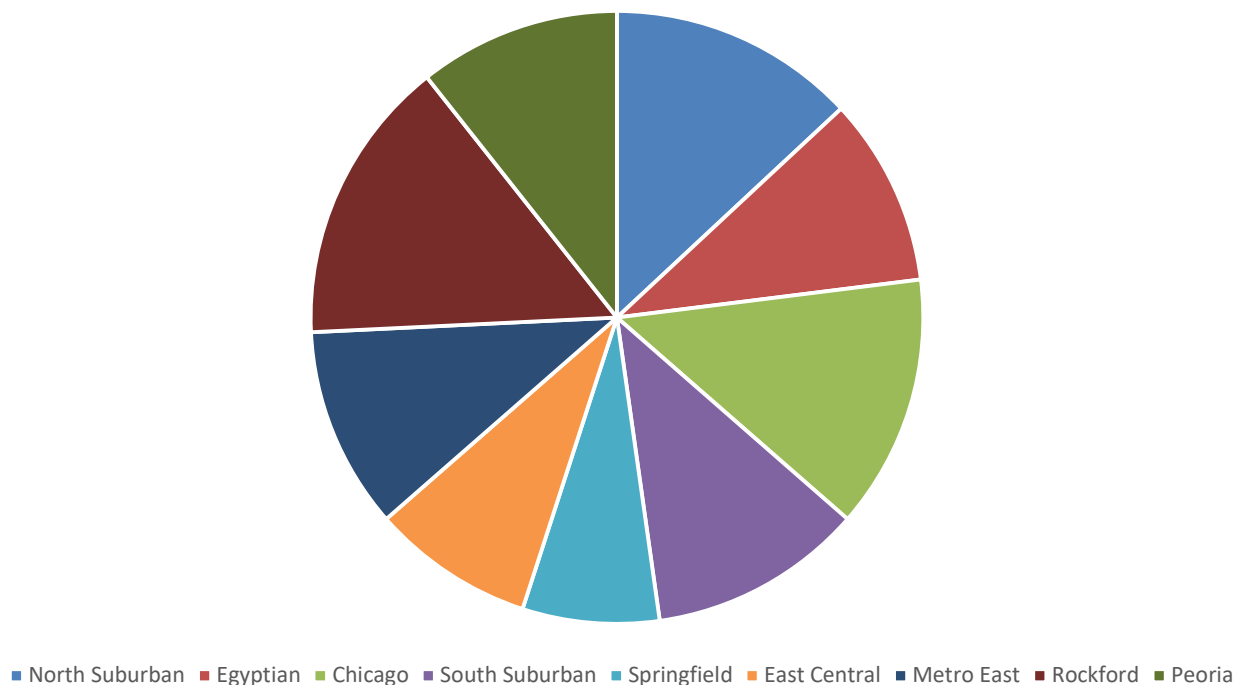
Disability Types Represented in Substantiated Cases of Rights Violations

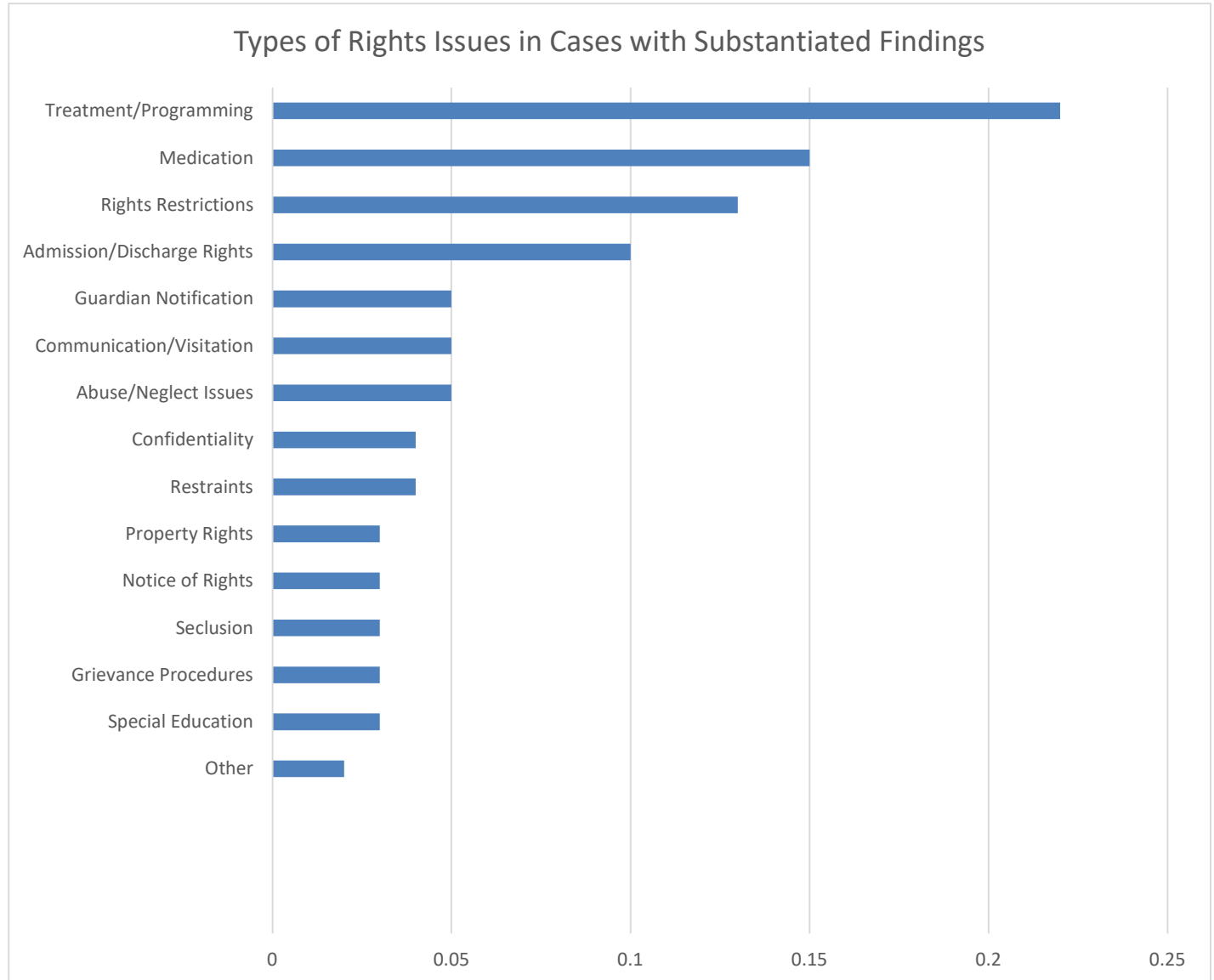


## Facility Types in Closed Cases with Substantiated Findings



## FY 20 Cases Handled by Region of the State







## Legal Advocacy Service (LAS)

## 13 staff attorneys

**100% of program staff involved in direct service provision**

- 9,689 cases handled
- 7,331 clients served
- 7,901 petitions
- 465 hearings
- 10 new appeals
- 9 appeals based on merit
- 9 appeals handled at the trial level
- 873 requests for information, referrals, or assistance
- 457 Lee-Wesley Consent Decree referrals
- 590 requests for assistance with advanced directives
- 5 special education trainings attended

<b>Cost per case handled</b>	<b>\$ 196.00</b>
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<b>Cost per client served</b>	<b>\$ 263.00</b>
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Private sector cost for equivalent service hours	\$7,312.50
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**Percentage the program costs the state when compared to private sector rates** **26%**

*The Legal Advocacy Service was created so that eligible children and adults 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: involuntary admission to and treatment in hospitals, discharge from hospitalization, adequate treatment, refusal of unwanted services and confidentiality of mental health records. Illinois courts often appoint LAS to represent persons with disabilities. Many 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. 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.*



## Office of State Guardian (OSG)

**7 Attorneys**  
**3 Intake Coordinators**  
**6 Guardianship Representatives for Estate cases**  
**37 Guardianship Representatives for Person cases**

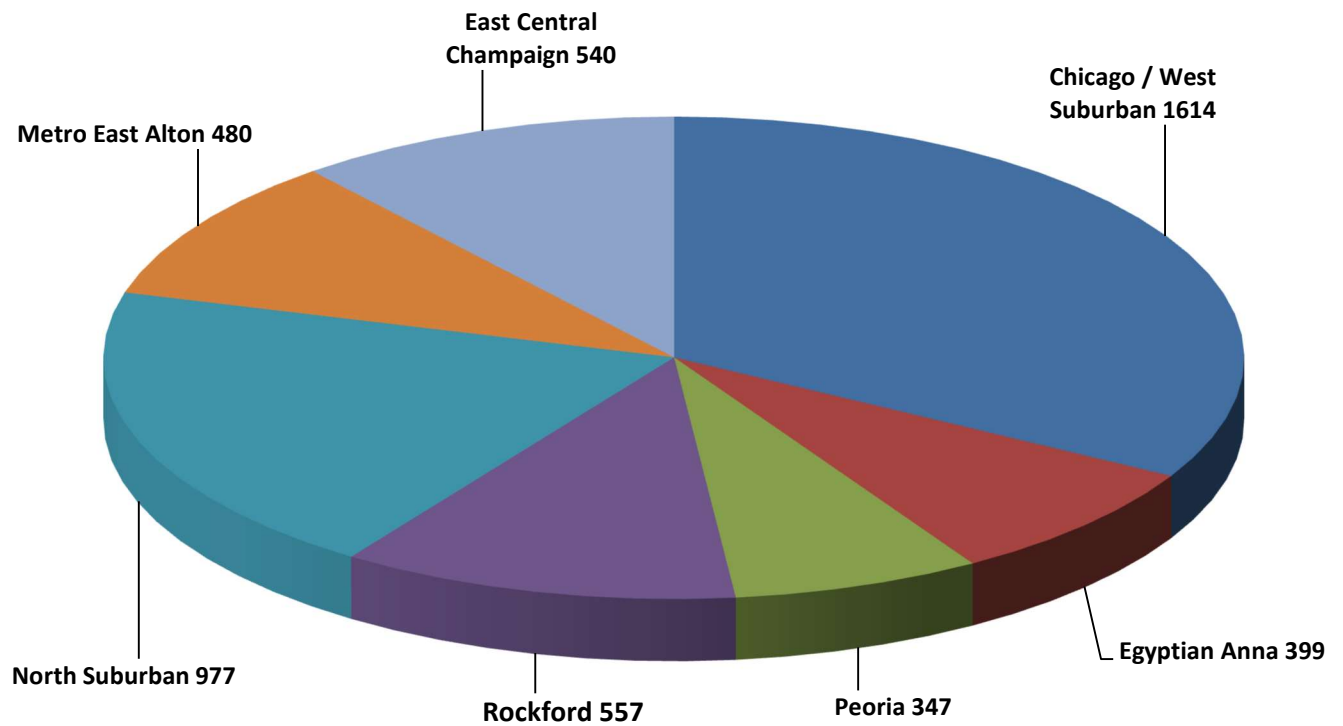
**100% of staff involved in direct service provision**

- **5,237 wards served**
- **5,731 clients served**
- **114 Average caseload per Person Representative**
- **62 Average caseload per Estate Representative**
- **152 Highest regional case load**
- **3,706 intakes**
- **14,983 medical and other consent activities**
- **10,901 after-hours on-call consents, inquiries, and referrals**

**Cost per client served            \$1,453.00**

*The Office of State Guardian is the largest public guardianship agency of its kind in the United States with cases located in 94 out of 102 Illinois Counties. The purpose of adult guardianship is to provide substitute decision making for medical treatment, medication, residential placement, money management and direct care planning. Appointed by the court, OSG is responsible for the affairs of nearly 5400 wards and serves over 10,000 clients annually who have a wide range of disabilities including chronic mental illness, developmental disabilities, age-related disabilities or profound illnesses. In addition, OSG manages over \$3 million of its wards' assets, ensuring appropriate expenditures and investments of their funds. 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. The expertise of OSG allows it to monitor and advocate for appropriated medical and rehabilitative services unique to each disability and each client.*

***Number of Cases by Region***





## 2020 Fiscal Summary

<b>FUND</b>	<b>Enacted Appropriations</b>	<b>Appropriations After Transfers</b>	<b>Expenditures</b>	<b>Lapse</b>
<b>GRF Fund</b>	<b>\$10,209,700</b>	<b>\$ 10,209,700</b>	<b>\$ 9,646,900</b>	<b>\$ 744,790</b>
<b>GAC Fund</b>	<b>\$ 2,997,000</b>	<b>\$ 2,997,000</b>	<b>\$ 1,724,900</b>	<b>\$ 575,095</b>
<b>TOTAL</b>	<b>\$ 13,206,700</b>	<b>\$ 13,206,700</b>	<b>\$ 11,371,800</b>	<b>\$ 1,319,885</b>

Major increase in Contractual lines in GAC fund are due to new case management system. Travel decreased from previous year due to the COVID-19 pandemic. Lapse in GRF due to lower headcount as retirement outpaced hiring.

Details of the expenditures by category are as follows:

<b>Category of Expenditure</b>	<b>GRF</b>	<b>GAC Fund</b>
<b>Payroll</b>	<b>\$ 9,464,900</b>	<b>\$ 169,200</b>
<b>Contractual</b>		<b>\$1,193,650</b>
<b>Travel</b>		<b>\$ 35,800</b>
<b>Printing</b>		<b>\$ 8,900</b>
<b>Commodities</b>		<b>\$ 11,710</b>
<b>Equipment</b>		<b>\$ 16,000</b>
<b>EDP</b>		<b>\$ 52,429</b>
<b>Telecom</b>		<b>\$ 274,630</b>
<b>Auto</b>		<b>\$ 5,465</b>
<b>Total Expenditure by Fund</b>	<b>\$ 9,464,900</b>	<b>\$ 1,767,784</b>



## Budgeting for Results

CRO: Gia T. Orr						
Intern: N/A						
General Cross-Divisional Projects (Increase ind. & family stability + self-suff)	Quarter 1	Quarter 2	Quarter 3	Quarter 4	FY20 Totals	
Number of programmatic or overarching internal trainings offered	88	100	101	56		345
Ward eligibility for "Restoration of Rights"	24	24	26	21		24
Predictive analytics of persons needing services from IGAC	25,000	25,000	30,000	35,000		28,700
Outreach activities and publications	192	171	181	139		683
Human Rights Authority (Meet the needs of the most vulnerable)						
Percent of HRA recommendations accepted by service providers and investigated	N/A - Annual	N/A-Annual	N/A-Annual	89%		89%
Number of persons with disabilities that benefit from HRA recommendations	14,074	4,079	15,962	3,348		37,463
Number of volunteer hours contributed to HRA	456	592	382	281		1711
Number of investigation reports of findings	25	36	15	13		89
Increase the combined number of internal referrals cross-divisionally (LAS to HRA and OSG to HRA)	4	10	4	9		27
				Amended lines 18 & 19		
				per DD Parks		
Legal Advocacy Services (Increase ind. & family stability + self-sufficiency)						
Training for Special Education	3	1	0	0		4
Number of appeals based on merit	4	7	3	2		16
Number of advanced directives interactions	343	253	158	169		923
LAS Hearings and/or Trials Conducted	N/A-Annual	N/A Annual	N/A Annual	189		189
Number of Appeals Handled by LAS	N/A-Annual	N/A Annual	N/A-Annual	8		8
Office of State Guardian (Meet the needs of the most vulnerable)						
Percentage of wards in community-based placements	48%	46%	48%	49%		48%
Percentage of guardianship referrals where an alternative to state appt. was found	53%	58%	53%	89%		63%
Acceptance rate	47%	42%	47%	11%		37%



## Commissioners

**Anthony E. Rothert, Esq., Chairman**  
Legal Director, ACLU of Eastern Missouri

**Honorable Andrea M. Schleifer**  
Judge, Circuit Court of Cook County

**Representative Thomas M. Bennett**  
Republican, 106<sup>th</sup> District

**Representative Jonathan Carroll**  
Democrat, 57<sup>th</sup> District

**Representative William Q. Davis**  
Democrat, 30<sup>th</sup> District

**Donald J. Dew**  
President / CEO  
Habilitative Systems, Inc. (HSI)

**Kathryn E. Eisenhart, Esq.**

**Dr. Sharon Jenkins-Collins**  
Doctor of Chiropractic and Naprapathy

**Mary Kennelly**  
Educator

**Senator Julie Morrison**  
Democrat, 29<sup>th</sup> District

**Sonni Choi Williams, Esq.**



## Organizational Structure

