



disABILITY LAW CENTER

OF VIRGINIA

Protection & Advocacy for Virginians with Disabilities

disAbility Law Center of Virginia

What is the disAbility Law Center of Virginia?

Voting Rights

Vocational Rehabilitation Services and Pre Employment Transition Services

Assistive Technology

Legal Disclaimer

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- This presentation is designed to provide general legal information and is not intended to provide legal advice. This presentation does not create an attorney-client relationship with the disAbility Law Center of Virginia.

Mission

- Through zealous and effective advocacy and legal representation to: protect and advance legal, human, and civil rights of persons with disabilities; combat and prevent abuse, neglect, and discrimination; and promote independence, choice, and self-determination by persons with disabilities.

What is dLCV?

The disAbility Law Center of Virginia is the state designated protection and advocacy office for people who have disabilities throughout Virginia.

The disAbility Law Center of Virginia (“dLCV”) provides services ranging from general information about legal rights, individualized technical assistance, advocacy services, and legal representation in selected cases.

You may remember us as a VOPA (Va Office for Protection and Advocacy) we are now a non-governmental nonprofit!!

What dLCV does or work on it

People With Disabilities

- Live In The Most Appropriate Integrated Environment
- Timely Discharge from State Facilities
- Maximize Individual Choice –Alternative to guardianship
- Equal Access to Public Accommodations
- Barriers to Work for Social Security Beneficiaries
- Are Employed To Their Maximum Potential
- Have Equal Access To Appropriate And Necessary Healthcare and no denial of Medicaid Services

How do we do it?

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- Increase self-advocacy through education and training

We do these Presentations, information and referral to educate and train the public, because these valuable resource are available and we here to assist.

What we do NOT do

The types of cases we do not assist with:

- Divorce
- Criminal cases
- Family law/custody cases
- Workers Compensation cases
- Civil suits
- Bankruptcy
- Assisted suicide
- Drafting of wills and estate planning
- Consumer protection issues
- Tax issues
- Pension
- Property disputes

Voting Rights - Accessible Voter Registration

- 1. Any person, regardless of their disability status, has the right to register to vote at any office or agency that provides such a service.
- 2. A person with cognitive disabilities can be eligible to register and vote if not adjudicated mentally incapacitated by a court of law.
- You can register to vote:
 - Online at [the citizen portal](#)
 - By mail. [Download forms >>>](#)
 - At your local voter registration office, which can accommodate special needs: elections.virginia.gov/Local

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Voting Rights

- Curbside Voting
- Assistance with voting if individual who
 - has a disability requests assistance
- Accessible equipment and staff that know how to work the accessible equipment (or help you understand how to use it)



Voting Rights - Curbside Voting

- If you are 65 or older, or have a physical disability, you may vote on Election Day without leaving your vehicle. Assistance with voting if individual who has a disability requests it. This is called curbside voting.
- If you cannot wait in line to vote, there should be a curbside voting option available:
- There should be a sign available telling you to call a specific number if you need to vote curbside.
- A poll worker should bring a ballot to your car
- They should wait for you to fill out your ballot, and they should provide you with something to put your ballot into so that it is private.

Accessible Voting Machines

- Accessible equipment and staff that know how to work the accessible equipment
- The accessible voting machines should be available if you wish to vote in person.
- Poll workers or officials should be able to help you understand how to use the machine.
Photo)



Important Dates

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- **Friday, September 23, 2022** First day of in-person early voting at your local registrar's office:
 - **October 17, 2022.**Deadline to register to vote, or update an existing registration:
 - **October 28, 2022.** Deadline to apply for a ballot to be mailed to you by 5:00 p.m. local voter registration office
 - **Saturday, October 29, 2022.** Voter registration offices open for early voting:
 - **Saturday, November 5, 2022** at 5:00 p.m. The last day of in-person early voting at your local voter registration office:

Voting Rights

- **Any Issues Voting?**

If you have issues voting, please call the disAbility Law Center of Virginia at 804-225-2042 or 1-800-552-3962

If you wish to complete a survey online, you can go to this link:

- <https://www.dlcva.org/voting-rights#survey>

What is CAP?



- CAP helps persons seeking information, applying for services, or receiving services from a Center for Independent Living (CIL) or vocational rehabilitation (VR) services from the Department of Aging and Rehabilitative Services (DARS) or the Department for the Blind and Vision Impaired (DBVI).
- The disAbility Law Center of Virginia administers CAP.

Client Assistance Program



- Another right that you have if you are working with a Vocational Rehabilitation (VR) provider—
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 - VR helps you if you want to work and your disability limits you in
 - Getting a job
 - Keeping a job
 - Moving up within a job

What are My Rights as a Client of Vocational Rehabilitation?

- To have a voice in planning in your VR or IL services
- To receive timely decisions on your request for services
- To be notified in writing if you are denied a service or if your case is closed
- To be given the opportunity to request reconsideration or appeal a decision
- To be notified that assistance is available from CAP through dLCV

Pre Employment Transition Services

What services are available for high school students?

- Pre ETS
 - Job Exploration Counseling
 - Work Based Learning Experiences
 - Counseling on Training and Educational Options
 - Workplace Readiness Training
 - Instruction in Self Advocacy



Job Exploration Counseling

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- DARS and DBVI can work together with the students and family to determine what careers they are interested in.
 - This can be done with a written career interest inventory, a picture inventory or through other ways.
 - This can be particularly useful if the student does not know what they want to do or has not narrowed down what they want to do.

Work Based Learning Experiences

Trial Work Experience (TWE)

The counselor can take the students to different workplaces so that they can learn skills necessary for specific workplaces. They can have trial work experiences in different workplaces and see daily life looks like in different professions.

Counseling on Training and Educational Options

- This does not necessarily mean a 4 year college, but DARS can work with the family and the student to see what education options would be a “best fit” after high school. This can include
 - Vocational School
 - Community College
 - 4 year college
 - Education after high school.

Workplace Readiness Training



- Learning skills necessary for work including
 - Resume Writing
 - Social Skills
 - Time Management
 - Interview Skills

Self Advocacy

- Learning how to advocate for yourself and when it's appropriate to advocate for yourself
 - Types of accommodations at work or in school
- Learning how to advocate for yourselves and when it's appropriate to do.
- Types of accommodations at work or in school .. Informed yourself about your disability and be clear on what accommodations you may need.
- Negotiation.
- Our Client Assistance Program (CAP) enables us to advocate for Virginian's who have disability and are either not receiving VR services , and want information about them or are not satisfied with the VR services that they are receiving now.

Assistive Technology

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- Keep in mind that as you leave high school, if the school provides assistive technology, the school keeps that AT
 - We recommend that as early as possible, you begin to speak with VR about assistive technology
 - Sometimes, DARS or DBVI can assist in paying for assistive technology such as
 - Ipads
 - Reading software or screen readers
 - Laptops
 - Accessible books or materials
 - Please note, these can only be provided if it relates to the employment goal and you meet eligibility criteria.

How can dLCV help?

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- Answer questions and explain your rights regarding the vocational rehabilitation process and independent living
 - Help you work through your concerns with your counselor
 - Provide information about other services for which you may qualify
 - Potentially represent your legal interests in negotiations or fair hearings

Case Examples

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- Max was restrained for 48 hours at Central State Hospital and was injured in the process. He is calling dLCV because he wants know how to file a Human Rights complaint. Can dLCV help Max ?

Case Example

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- Patricia wants DARS to pay for the newest model of reading software, but she seems to be getting the job done with the software that she has, which is only a year old. She thinks it's better because it's newer. Is this something dLCV might represent Patricia on?

Case Example

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- Amy has limited mobility and arrives at her polling location on election day. She is told that she has to knock on the door to request a curbside ballot. Is this something dLCV may be able to help with?

Case Example

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- Martha calls dLCV because she is getting a divorce, but she is worried about her ex-husband getting custody of their son Michael, who has complex medical needs and disabilities. She is asking for legal representation. Can dLCV help her?

Case Example

Susan called dLCV about her 21 year old son, who is aging out of the school system. She insists that she is the guardian because she is his mother, but claims she has not been to court. She is unhappy with the transition planning services and wants a new DBVI counselor because DBVI refuses to speak with her without her son being present. Can dLCV help?

Case Example

Kate is Deaf and communicates through American Sign Language. Her doctor refuses to provide an interpreter and she would like to know her rights. Can dLCV help with her?

Case Example

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- Micah is five (5) has a traumatic brain injury and Dad is calling because he thinks Micah could be helped by Assistive Technology. Can dLCV provide guidance?

dLCV can assist you !

You can call between 8:30 and 4:00 Monday, Wednesday, and Friday, and you can ask to speak to the Advocate on Call.

We will do our best to assist you and at least give you information that might help you with the situation you are in!

If we can do an intake (and help you further), we will do that over the phone with you. Afterwards, the information will be sent to a Subject Matter Expert (SME) who will call you to let you know if dLCV can assist further.

You can call us at 804-225-2042 or 1-800-552-3962

www.dlcvm.org/get-help

[Get Help - disAbility Law Center of Virginia \(dlcv.org\)](http://www.dlcvm.org)

Questions ?

Thank you!



CONNECT WITH US

ADDRESS

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PHONE

1-800-552-3962 (toll-free) | 804-225-2042

WEBSITE

dLCV.org



dlcv.org/podcast



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