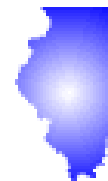


# ILLINOIS GUARDIANSHIP ASSOCIATION

160 North LaSalle, Suite S-500, Chicago, IL 60601  
312-793-5900 phone  
312-793-4311 fax

**IGA**



## PRESIDENT'S MESSAGE:

October is National Guardianship Month and with that I would like to extend a very grand Thank You to the Board of the Illinois Guardianship Association. In my absence during medical leave, the Board members have gone above the call of duty to make sure things continued to flow smoothly. Bill Scheidemantel is to be commended for getting the Newsletter on track as a quarterly publication. I understand this issue will be filled with important information regarding voting rights. Helen Godlewski has been busy working on the web site development and hopefully we will have exciting news for the membership very soon. Ben Brown and his Training Committee have been very busy since the last Newsletter due to the response from individuals and agencies needing training on guardianship issues. Gina Rossi has put together another round of training for OSG/IGA, and that

information can be found in this Newsletter. John Erbes and his committee have been working on developing language for the IGA initiative for legislation regarding guardianship certification. Hopefully, I have hit the highlights of the Associations activities. Again, I encourage ALL Illinois Guardianship Association members to contact a chairperson and get involved in an area that is of interest to one's self. There is a lot of work ahead of us. Hope to see many members at the OSG/IGA training this month and the National Guardianship Conference in Colorado Springs next month! Have a Blessed Holiday Season and hopefully there will be more exciting news to share in the first edition 2005 Newsletter!!

Cathy Goebel, IGA President

## IGA Board Members and Officers

<u>President</u> Catherine Goebel MA, MS Ed, RG-NGF;	<u>President-Elect</u> Benjamin Brown JD;	<u>Vice-President</u> John Erbes JD
<u>Treasurer</u> Sandra Hayes RG-NGF;	<u>Secretary</u> Gina Rossi RG-NGF;	
<u>Board Members:</u>		
Terrance Godbolt JD;	Helen Godlewski Brownfield MBA, RG-NGF;	Susan Hagrelius MSW, LCSW, RG-NGF;
Perry Patterson RG-NGF;	Anthony Rothert JD, MSW, RG-NGF;	Sharon Rudy JD, RG-NGF;
William Scheidemantel JD, RG-NGF;		Sue Sherock, Cook Co. OPG

## IGA Committees

The committee chairpersons were introduced at the Annual Conference. You are encouraged to contact them with your questions and suggestions or to volunteer your talents by participating in the important work of the IGA.

Community Education & Training – Ben Brown, [benbrown@lollaf.org](mailto:benbrown@lollaf.org)

By-Laws and Standards – Susan Hagrelius, [shagrelius@gac.state.il.us](mailto:shagrelius@gac.state.il.us)

Legislation – John Erbes, [erbes@siu.edu](mailto:erbes@siu.edu)

Finance and Membership – Sandy Hayes, [shayes@gac.state.il.us](mailto:shayes@gac.state.il.us)

Newsletter – Bill Scheidemantel, [bscheidemantel@gac.state.il.us](mailto:bscheidemantel@gac.state.il.us)

Website Development – Helen Godlewski Brownfield, [hgodlewski@gac.state.il.us](mailto:hgodlewski@gac.state.il.us)

Conference Planning – Gina Rossi, [grossi@gac.state.il.us](mailto:grossi@gac.state.il.us)

Board and Officer Nominations – Perry Patterson, [perry0441@aol.com](mailto:perry0441@aol.com)

# IGA NEWSLETTER – VOLUME 2, Issue 2

(July – September 2004)

## VOTING RIGHTS OF WARDS AND ADULTS WITH MENTAL DISABILITIES

Many states have statutory or even constitutional restrictions upon the voting rights of persons under guardianship or found to have mental disabilities. Illinois is not one of them. Under Illinois law, an individual is expressly disqualified from voting only if the person has been convicted of a felony and is currently incarcerated therefor. Any other U.S. citizen 18 years of age or older who meets the residency requirements is presumptively eligible to register and vote.

All jurisdictions, including Illinois however, have a compelling interest in conducting fair and honest elections, preserving the integrity of the voting process, and preventing fraud, duress, and undue influence in balloting. These goals are accomplished largely through the voter registration process and the presence of election judges and observers at polling places. If it appears at either stage that a potential voter, including a person with a disability, is being subjected to undue influence, one can expect a challenge from the county clerk, registrar, election judge, or other official. A common sense rule of thumb, however, is that a person under guardianship who can communicate a desire to vote, and who has at least a rudimentary understanding of what an election is about and what it means to cast a ballot, should be allowed to register and vote.

Some important points to remember:

- The inability to read or write is not a bar to registering and voting.
- The right to vote is too personal a right to be exercised by anyone but the individual voter. A disabled person is entitled to assistance with registration and even the physical act of casting a ballot, but the disabled person cannot delegate his or her actual choices to an assistant, guardian, or other individual.
- Nursing home residents and other persons who have physical difficulties voting at their regular polling places are entitled to certain accommodations by election officials.

The following websites are excellent resources providing more detailed information about voting rights, legal challenges to state voting restrictions, polling place accessibility, absentee balloting, assistance in marking one's ballot, and other topics of interest for voters with disabilities:

[www.bazelon.org/issues/voting/](http://www.bazelon.org/issues/voting/)  
[www.equipforequality.org/](http://www.equipforequality.org/)  
[www.aclu.org](http://www.aclu.org)  
[www.illinoislawhelp.org](http://www.illinoislawhelp.org)  
[www.iltech.org](http://www.iltech.org)

### ***The IGA Newsletter is now a quarterly publication.***

*Look for our Holiday Issue in late December.*

*Send articles, questions and suggestions to Bill Scheidemantel via e-mail [bscheidemantel@gac.state.il.us](mailto:bscheidemantel@gac.state.il.us) or fax 217-892-4598.*

### **Training Committee - Community Education and Outreach**

The Illinois Guardianship Association (IGA) offers free guardianship training to human services provider agencies and other groups throughout the state. Nationally certified Registered Guardians and attorneys conduct the training sessions. The training can cover all or some of the following areas:

- \* Basics of Adult Guardianship
- \* Types and Scope of Guardianship
- \* Medical Consents, Mental Health treatment issues
- \* Estate Management
- \* Ethical considerations for guardians
- \* Powers of Attorney, Representative Payeeships, and other alternatives to guardianship
- \* Record Keeping and reports to the court
- \* Effective advocacy by guardians
- \* Question-and-answer sessions

Chairman of the committee is **Ben Brown** contact him at [benbrown@lollaf.org](mailto:benbrown@lollaf.org) if you would like to host a training event, serve on the committee, or submit questions and suggestions for community education on guardianship issues.

# IGA NEWSLETTER – VOLUME 2, Issue 2

(July – September 2004)

## **Two new Fact Sheets**

Provide an easy-to-understand overview of what the Privacy Rule means to consumers. They can be readily accessed from the "What's New" column on the OCR website, <http://www.hhs.gov/ocr/hipaa/>. We encourage you to share them widely.

1. "**Privacy and Your Health Information**" is a general overview of the Rule, explaining that the Privacy Rule gives individuals rights over their health information, sets rules and limits on how information can be used and disclosed, and requires covered entities to take steps to protect health information.

2. "**Your Health Information Privacy Rights**" focuses on each of the privacy Rights individuals have under the Privacy Rule.

**A new on-line library** of ADA documents is now available on the Internet. Developed by Meeting the Challenge Inc. of Colorado Springs with funding from the National Institute on Disability and Rehabilitation Research, this website makes available more than 3,400 documents related to the ADA, including those issued by Federal agencies with responsibilities under the law. It also offers extensive document collections on other disability rights laws and issues. <http://www.adaportal.org/>

## **On Line Application for Social Security**

It is now easier to apply for Social Security Income Benefits because these benefits can be applied for on line. The applicant only needs to verify the information provided to Social Security as correct and it is then entered into the system with an electronic signature. These new procedures went into effect throughout the country in June of 2004 in order to speed the handling of claims and decrease the paper that SSA needs to store. Social Security will be maintaining information electronically. There are three (3) ways to access the system.

1. **Online:** At the very beginning of the application process the caller will be informed of the electronic signature feature. Then enter the information, and the system will request that the applicant confirm the truthfulness of the application, under penalty of perjury just as with a paper application. After reviewing the information, making and corrections and printing the information if desired, the applicant will click the "sign now" button at the end of the application which indicates acceptance of responsibility for the accuracy of the information submitted to social security.

2. **In Person:** The claims representative will explain the responsibility for accurate information under penalty of perjury. At the end of the interview the information will be printed and the applicant will be asked to review the information on the forms and make any changes necessary. The applicant will then confirm the accuracy and the representative will enter the confirmation into the computer.
3. **By Phone:** Claims by phone will be the same as an in person interview, except that a copy of the information will be mailed for the applicant to review and correct.

Social Security will still need to have proof of age, earning, marriage and sufficient medical evidence for a disability claim in order to make decisions of claims. This system will streamline the claims process and provide better service by eliminating the need to sign and return the application form.

**More Information contact local Social Security Office,  
or Toll Free 1-800-772-1213  
or [ssa.gov/onlineservices](http://ssa.gov/onlineservices)**

## **ADVERTISING OPPORTUNITIES:**

**Newsletter:** The newsletter is printed quarterly and offers your business direct exposure to over 130 guardians and others interested in guardianship. Cost: \$25.00 for business card inclusion: \$75 for 1/4 page; \$150 for 1/2 Page

# IGA NEWSLETTER – VOLUME 2, Issue 2

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## Upcoming Events

- **2004 NATIONAL GUARDIANSHIP ASSOCIATION ANNUAL CONFERENCE**  
“Reaching New Heights in Law and Aging Partnerships”, the 2004 Joint Conference of the National Guardianship Association, the National Academy of Elder Law Attorneys and the National College of Probate Judges, will be held November 11-14, 2004, at The Broadmoor, Colorado Springs, Colorado. Call the NGA at 520-881-6561 for registration information.

JOIN THE IGA!

<b>Complete application or contact Sandra Hayes at 708-338 or <a href="mailto:shays@gac.state.il.us">shays@gac.state.il.us</a></b>	
<b><u>Illinois Guardianship Association</u></b>	
Membership	<input type="checkbox"/> New <input type="checkbox"/> Renewal
Name _____	Membership _____
Type Please Check One (1)	
Voting	<input type="checkbox"/> Corporate \$50. <input type="checkbox"/> IGA if NGA Member \$25.00
	<input type="checkbox"/> IGA only \$75 <input type="checkbox"/> Family Non-Professional
Non-voting membership	<input type="checkbox"/> \$2,000
Company/Agency _____	Type _____
Address _____	City _____ State _____ Zip _____
Phone _____	Fax _____ e-mail _____
<b>Dues: Payable to IGA</b>	
<b>160 North LaSalle, Suite S-500</b>	
<b>Chicago, IL 60601</b>	

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