



**DCBA/DAWL Veterans Day CLE Program
Webinar
November 11, 2021**

- 12:00 PM – 12:30 PM** **Welcome/Announcements and Introductions**
Trevor Orsinger, DCBA Veterans Day Committee Chair
- Reflections from the Greatest Generation Brown Bag Lunch**
Capt. Sidney Skidmore USN (Ret.) interviewed by Andrea Collins,
Third Vice President of DuPage Association of Women Lawyers
- 12:30 PM – 12:45 PM** **Overview of the Legal Needs of Veterans & IL-AFLAN**
Michael Bergmann, Public Interest Law Initiative (PILI)
- 12:45 PM – 12:50 PM** **Take a Veteran Fishing Video**
[Operation Outdoor Freedom Foundation](#)
- 12:50 PM – 1:00 PM** **Break**
- 1:00 PM – 1:30 PM** **Edward Hines Jr., VA Hospital Services to Veterans**
Jon Beidelschies, Hines VA Hospital
- 1:30 PM – 2:00 PM** **We Got Your Six...Assisting Veterans with Estate Planning**
Karen Mills, Aronberg Goldgehn
- 2:00 PM – 2:10 PM** **Program Update on DuPage County Veterans Court**
Jessica Sisler, DuPage County State’s Attorney’s Office
- 2:10 PM – 2:20 PM** **18th Circuit Residential Eviction Mediation Program and Resources
for Veterans**
Kimberly Verest, 18th Judicial Circuit Court



Lisa Snipes, DuPage County Continuum of Care

2:20 PM - 2:30 PM

Break

2:30 PM - 3:30 PM

Housing Issues Faced by Vulnerable Veterans

Terry Benshoof DCBA Member and Vice President, Midwest Shelter for Homeless Veterans

Link to Evaluation

Please complete the evaluation to receive MCLE credit.

<https://www.surveymonkey.com/r/VeteransDay11112021>

Upcoming DCBA Events: November 18, 2021 - [DCBA Unwind](#) - Reserve 22, Village Links of Glen Ellyn

December 8, 2021 - [DCBA/DAWL/Justinian 2021 Grand Holiday Gala](#) - Hotel Arista, Naperville

December 16, 201 - [DBF Holiday Breakfast Fundraiser](#) - Cooper's Corner, Winfield



Renew Your Court Pass

All 2021 Court ID's expire January 31, 2022. As soon as you receive confirmation of your ARDC registration for 2022, you can renew your court ID through the DCBA website at this link - <https://www.dcba.org/page/courtid>. The renewal fee is \$25 payment, and your 2022 extension stickers will be mailed January 15th. For a new ID or to renew in person, bring your ARDC card and \$35 payment to the DuPage County Bar Center from 8:30 AM - Noon, Monday - Friday. There will be no in-person renewal in the courthouse. Save time and money by renewing online and renew before January 31st to avoid reactivation delays.

DCBA OnDemand CLE is Available on IICLE:

Members can find the link to The Illinois Institute for Continuing Legal Education (IICLE) catalog on the DCBA website under the menu item **CLE & Events**→**IICLE Online Library**. You must be logged into your DCBA Membership Profile to view courses for free or at a reduced price.

View & Print CLE Certificates through the DCBA Website:

Members can view and print their certificates for any DCBA CLE program attended by first signing into their account on the DCBA website. Hover over the **CLE & Events** menu item and select **Find My CLE Credits**. This page will list all the CLE credits earned with DCBA. To the left of each program is an icon to print or email the Statement of Credit. You can find certificates for all CLE credits earned in Illinois by signing into your account on the MCLE Board website.

Michael G. Bergmann

Executive Director

Public Interest Law Initiative (PILI)

Michael has served as PILI's Executive Director since 2010. He originally joined PILI in 2006 as Pro Bono Initiative Director and more recently served as Director of Programs. Prior to joining PILI, Michael served as the Guardian Ad Litem Program Director for Chicago Volunteer Legal Services.

Michael is a frequent speaker on issues relating to legal aid, pro bono and public interest law at the state and national level. He is an Adjunct Professor at the DePaul University College of Law, where he also serves on the Dean's Council. He also serves on the Advisory Board of the Chicago Lawyer Chapter of the American Constitution Society.

An active member of the American Bar Association, Michael is currently serving in the ABA's House of Delegates, the Standing Committee on Membership and the Task Force on Legal Needs Arising Out of the 2020 Pandemic. He is a past chair of the following ABA entities: the Section Officers Conference (SOC), the Judicial Division, the Lawyers Conference of the Judicial Division and the Young Lawyers Division. Michael is also a member of the Illinois State Bar Association (ISBA) where he serves on and is a past chair of the Standing Committee on the Delivery of Legal Services, and serves on the Bench & Bar Section Council as its vice chair, the Standing Committee on the Rural Practice Initiative and the ISBA Assembly. He is also a member of the Chicago Bar Association, most recently having served as Chair of the Continuing Legal Education Committee.

Michael attended The Catholic University of America in Washington, D.C., where he earned his Bachelor of Arts in Politics. He received his Juris Doctor from DePaul University College of Law. Prior to and during law school, Michael was a consultant with PricewaterhouseCoopers LLP.

Jon Beidelschies, J.D. | 708-202-5635

Associate Director- Operations

Jon Beidelschies was appointed Associate Director in April 2021. He was appointed Assistant Director at Hines VAH on August 18, 2019. Previously, he served as national Program Manager for the Supply Chain Education and Talent Management branch of the Veterans Health Administration Procurement & Logistics Office, overseeing the national policy, training, and human capital development of the 6,500+ person VHA Logistics/Supply Chain workforce. In this role, he led the development and implementation of the largest workforce standardization in Veterans Health Administration history and served as proponent for the national supply chain management curriculum, based in the VA Acquisition Academy. Mr. Beidelschies served as acting Associate Director at the Washington, DC, VA Medical Center in 2018, overseeing the daily administrative operations of a Level 1A medical center including fiscal, logistics, human resources, facilities, safety, emergency management and business office. From 2010-2012, Mr. Beidelschies served as the Deputy Chief Operating Officer for the VHA Procurement & Logistics Office, overseeing operations including budgeting and human resources. Mr. Beidelschies joined federal service in 2008 as a Presidential Management Fellow, serving as a Special Assistant to the Network Director in Veterans Integrated Service Network 4. He is a graduate of Marquette University and the University of Wisconsin (Madison) Law School.



Karen R. Mills



MEMBER

Personal, Financial and Estate Planning

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F: 312.828.9635
karen.mills@agdglaw.com

EDUCATION

NORTHERN ILLINOIS UNIVERSITY, J.D.,
CUM LAUDE, 2012
AURORA UNIVERSITY, BA., BUSINESS
ADMINISTRATION, MAGNA CUM LAUDE,
2007

ADMISSIONS

UNITED STATES SUPREME COURT
STATE OF ILLINOIS
U.S. DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ILLINOIS

ACKNOWLEDGMENTS

RISING STAR, ILLINOIS SUPER
LAWYERS (2021)

MEMBERSHIPS

DUPAGE COUNTY BAR ASSOCIATION

- Third Vice President, 2021
- Board of Directors,
2018-2021
- Planning Committee,
2019-Present
- Chair, Continuing Legal
Education, 2019-2020
- Vice-Chair, Continuing Legal
Education, 2018-2019
- Chair, Estate Planning &
Probate Section, 2017-2018
- Vice-Chair, Estate Planning &
Probate Section, 2016-2017

Illinois State Bar Association
Phi Alpha Delta Law Fraternity,
International

Karen Mills concentrates her practice on estate planning, trust and estate administration, probate litigation, special needs planning, asset protection, and guardianships for minors and disabled adults. Her practice also involves advising clients with respect to taxation, business and asset protection, and long-term care planning.

In addition to her legal practice, Karen serves as a Certified Guardian ad Litem/Child's Representative in DuPage County, and is a DuPage County Certified Arbitrator.

Karen is resident in the firm's Wheaton office.

PROFESSIONAL BACKGROUND

Karen joined Aronberg Goldgehn in 2021, and was in private practice for seven years before that. Before her legal career, Karen spent nearly 20 years at JPMorgan Chase and BMO Harris Private Bank with experience in trusts, estates, guardianships and wealth management.

In 2021, Karen was recognized as a Rising Star by Illinois Super Lawyers.

SPEECHES AND PUBLICATIONS

- "Wait...I am not Dead Yet and I Need My Money!" DuPage County Bar Association, March 2021
- "What is an Estate Plan and Why do You Need One?" Edward Jones, Illinois Financial Advisor, February 2021
- Mental Health Issues...What is a Guardian to Do? DuPage County Health Department, January 2021
- Moderator, "Judicial Webinar: Your Professional Reputation and Civility," DuPage County Bar Association, July 2020
- "Effective Leadership," DuPage County Bar Association, July 2020
- "Investments and Transfers: Legal and Prudent," National Business Institute Illinois CLE, "Accounting & Tax Crash Course for Trusts and Estates," June 2020

LEADERSHIP ROLES

Karen is active in the DuPage County Bar Association, and was recently elected as Third Vice President. She previously served on the Board of Directors, as well as Chair of its Estate Planning & Probate Section and Chair of Continuing Legal Education.

Karen is a faculty member of the Illinois Institute of Continuing Legal Education where she is a frequent speaker on estate planning topics.

In 2020, 2017 and 2016 Karen served as an Evaluator for the High School Mock Trial Invitational presented by the Illinois State Bar Association.

COMMUNITY INVOLVEMENT

Karen serves on the Board of Directors (Executive Committee Member) of Northwestern Medicine and Co-Chair of the Philanthropic Advisory Council for NWM Central DuPage and Delnor Hospitals.

She also is a Multidisciplinary Team Member for the DuPage County Adult Protective Services Abuse and Neglect Program.

Jessica L. Sisler graduated Valparaiso School of Law in 2013. She worked in private practice for almost 1 1/2 years in Downers Grove and began as an Assistant State's Attorney of DuPage County in January of 2015. Jessica worked in the Traffic Court, misdemeanor Domestic Violence, Juvenile, FOCUS and General Felony divisions. As of June 2020, she was assigned as the Assistant State's Attorney to the Specialty Courts: Veterans Court, MICAP (Mental Health), and Drug Court.

Kimberly Verest serves as the Arbitration Administrator for the 18th Judicial Circuit Court in the Office of the Chief Judge. In her role with the Circuit, Kimberly oversees Alternative Dispute Resolution programs and works for the Court Administrator on various special projects for the Court. Prior to her role in the Office of the Chief Judge, Kimberly served a mediator for six and half years at the DuPage County Family Center mediating divorce and parentage cases for never-married parents and indigent families experiencing divorce. Kimberly worked as an attorney in the private sector at American Bank & Trust and Huron Consulting before beginning her career in the public sector. Kimberly earned her Mediation License in Indiana and law degree in 2010 from Indiana University Maurer School of Law and graduated with distinction from the University of Illinois at Urbana-Champaign with a B.A. in Speech Communication.

Terrence J. Benshoof practices from Glen Ellyn. He graduated from the University of Illinois at Chicago in 1968, with a B.A. with Honors and Distinction in Political Science. He earned his J.D. from De Paul University College of Law in 1971, where he was an Associate Editor of the De Paul Law Review. He also earned an LLM (Taxation) from De Paul in 1980, and has practiced extensively in property tax litigation and other Federal, State and Local, and Multi-State tax matters.

Terry is a retired Lieutenant Colonel from the Army Judge Advocate General's Corps, and currently serves as Vice-President of the Board of Directors of the Midwest Shelter for Homeless Veterans in Wheaton.



LEGAL AID FOR VETERANS

Michael G. Bergmann
Executive Director
Public Interest Law Initiative
www.pili.org

1

LEGAL AID FOR VETERANS: THE NEED

2

LEGAL AID FOR VETERANS: THE NEED

- Within the veteran population, at the intersection of mental health and poverty, we find thousands of individuals with complex needs.
- While these needs may manifest in different ways, many of them require help from a lawyer.
- Yet while civil legal needs among veterans are prevalent, they often remain invisible.

3

LEGAL AID FOR VETERANS: THE NEED

- In Illinois, there are approximately 750,000 veterans, 20,000 active service members, and 13,000 members of the Illinois National Guard.
- There are over 20,000 dependents of service members who were deployed between 9/11/2001 and 5/31/2015.

4

LEGAL AID FOR VETERANS: THE NEED

- A survey of legal aid providers and veteran serving organizations demonstrates that civil legal services are a highly sought resource by these groups.
- The top civil legal needs fall into the broad categories of housing, family, and consumer law issues.
 - For family law, the typical areas are: divorce, parentage/parentage allocation, and support modification.
- In addition, veterans often need assistance with VA benefits and appeals and discharge upgrades.

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LEGAL AID FOR VETERANS: ILLINOIS RESPONSE

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LEGAL AID FOR VETERANS: ILLINOIS RESPONSE

ACCESS TO JUSTICE ACT 705 ILCS 95/1 et seq.

Increasing numbers of active duty service members and veterans are coming into courts without legal representation for cases involving important legal matters impacting the basics of life, such as health, safety, and shelter.

“... it is critical that [...]active duty service members and veterans [...] have better access to varying levels of legal assistance appropriate for their individual circumstances”

7



Statewide hotline and coordinated network of legal support resources

Provides intake, screening, and varying levels of legal assistance

1-855-IL-AFLAN
(1-855-452-3526)

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IL-AFLAN MEMBERS & AFFILIATES

- CARPLS – RUNS STATEWIDE HOTLINE
- CENTER FOR DISABILITY & ELDER LAW (CDEL)
- CHICAGO VOLUNTEER LEGAL SERVICES
- LAND OF LINCOLN LEGAL AID
- LEGAL AID CHICAGO
- **PILI**
- **PRAIRIE STATE LEGAL SERVICES**
- LOYOLA UNIVERSITY SCHOOL OF LAW
- SOUTHERN ILLINOIS UNIVERISTY SCHOOL OF LAW
- UIC JOHN MARSHALL LAW SCHOOL
- PLUS 9 “AFFILIATES”

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IL-AFLAN ELIGIBILITY FOR ASSISTANCE

- Clients must be financially eligible
 - Eligibility in AFLAN is up to 80% Chicago AMI
 - This is higher than traditional legal aid
- Legal issue in Illinois – or – Illinois resident/stationed with VA issue
- Not dishonorably discharged

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IL-AFLAN BY THE NUMBERS: 6/1/17 TO 5/31/21

14,658 clients were helped with **18,167** services, including:

- 3,876 family law cases; 2,990 housing cases; 2,063 pension and benefits cases; and 1,731 consumer/housing cases
- 604 VA benefit appeals pending/filed
- 611 discharges or upgrades pending/filed

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HOW CAN YOU HELP?

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PRAIRIE STATE & PILI PRO BONO CASES

FAMILY LAW

- Child Support
- Modify due to unemployment, change in active duty status, seeking judgment on arrearage for repayment and DL relief
- Defense in RTSC or modification of support where service-related issues are relevant (PTSD, TBI, substance misuse)
- Parenting Time
- Addressing service-related issues that may or are alleged to impact relationship w/child (deployment, service-related trauma)
- DIVORCE DIVORCE DIVORCE DIVORCE

HOUSING LAW

- Negotiation and advocacy
- Stipulated dismissals
- Sealing file
- Early termination of lease for service-related reasons

IL-AFLAN CLIENTS MAY HAVE HIGHER THAN USUAL INCOME FOR PRO BONO ASSISTANCE

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I WANT TO HELP, SO....

PRAIRIE STATE:

- Only LSC eligible cases, after deductions.
- 90% of referrals are for simple uncontested divorces, no kids.
- Uncontested guardianship cases, wills and POA's, uncontested adoptions, criminal record relief.

PILI:

- Financial eligibility consistent with AFLAN, which means higher than usual.
- BUT, the vast majority of clients would be eligible under traditional legal aid guidelines.
- Cases are typically: family law, consumer, housing

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QUESTIONS???

DuPage County Bar Association Virtual Veteran Event

Edward Hines, Jr. VA Hospital
Jon Beidelschies, JD – Associate Director (Operations)
jon.beidelschies@va.gov



1



2



Edward Hines, Jr. VA Hospital

Located 12 miles west of downtown Chicago on a 147-acre campus and celebrating 100 years of serving Veterans.

*Virtual celebration on our [Hines Facebook page](#)



3

Edward Hines, Jr. VA Hospital

- Offers primary, extended and specialty care and serves as a tertiary care referral center for VISN 12.
- Specialized clinical programs include:
 - Blind Rehabilitation
 - Spinal Cord Injury
 - Neurosurgery
 - Radiation Therapy
 - Cardiovascular Surgery
 - Kidney Transplant



4

Edward Hines, Jr. VA Hospital

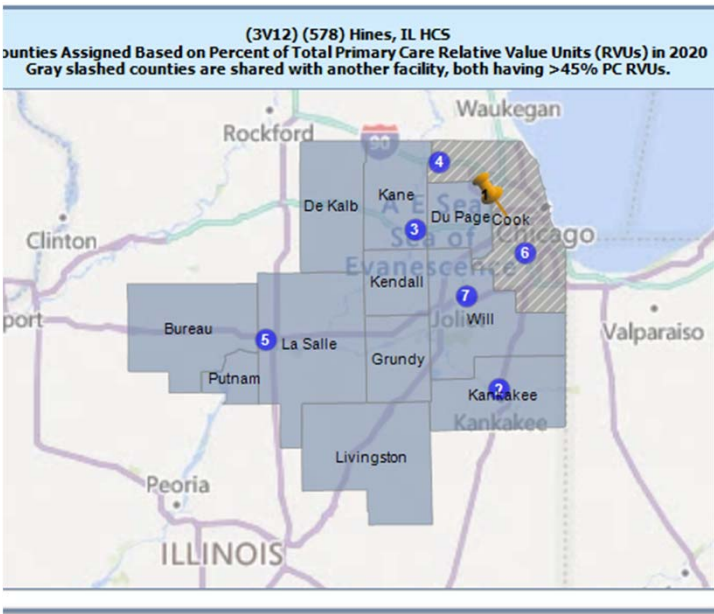
- The hospital also serves as the VISN 12 southern tier hub for pathology, radiology, radiation therapy, human resource management and fiscal services.
- Hines VAH currently operates 483 beds and six community-based outpatient clinics in Hoffman Estates, Kankakee, Oak Lawn, Aurora, LaSalle, and Joliet.
- As of March 2021, Hines has over 46,000 unique patients. In FY 2020 the budget was over \$750 million. Hines VAH represents virtually the entire spectrum of VA healthcare and clinical programs.



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Service Area Map

1	VA Medical Center (VAMC)	(3V12) (578) Hines, IL (Edward Hines Junior)
2	Primary Care CBOC	(3V12) (578GC) Kankakee County, IL
3	Primary Care CBOC	(3V12) (578GD) Aurora, IL
4	Primary Care CBOC	(3V12) (578GE) Hoffman Estates, IL
5	Primary Care CBOC	(3V12) (578GF) LaSalle, IL
6	Primary Care CBOC	(3V12) (578GG) Oak Lawn, IL
7	Multi-Specialty CBOC	(3V12) (578GA) Joliet, IL



6

Services available at Aurora CBOC

- Primary care
- Behavioral Health services including individual, and group counseling.
- Audiology and hearing aid repair clinic
- Telehealth
- Women's health care
- Laboratory: Blood drawing services available
- COVID & Influenza vaccinations



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7

Facility Accomplishments

- Hines VA Hospital (Hines) is proud to house one of the VA's premier Research Services. Hines investigators are published in medical journals and have received national and international news media attention for groundbreaking research in Rehabilitation, Clostridium Difficile treatment, Parkinson's disease, Spinal Cord Injury, Traumatic Brain Injury treatment and much more. There are about 150 investigators working on approximately 415 active studies with over \$20 million in annual funding.
- Hines serves as an educational hub with more than 1660 trainees/year from many clinical disciplines. Loyola University Schools of Medicine and Nursing are the major academic affiliates in addition to 41 other affiliations with other universities and colleges which cover 71 programs.



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Facility Accomplishments

- Hines VA Hospital is committed to advancing Whole Health to improve the lives of Veterans and offers Whole Health workshops and complementary and integrative health services
- The Hines VA Hospital Kidney Transplant Program is officially approved and is evaluating and placing patients on the national waitlist followed by our first kidney transplant soon after. The Kidney Transplant Program at the Edward Hines Jr. VA Hospital is only the 8th VA Kidney Transplant Program in the country. The Hines VA Kidney Transplant Program is the only transplant center serving veterans in the state of Illinois and will serve not only all veterans in the Midwest, but Nationwide.



9

Post-9/11 Military 2 VA (M2VA) Case Management Program

Eligibility

Service Members and Veterans who served on or after September 11, 2001, including those who served in support of OEF/OIF/OND, and are ill or injured and transitioning to VA.

Referral Sources

- Military Treatment Facilities
- VA Solid Start
- InTransition
- Yellow Ribbon and Outreach Events
- Vet Centers
- Community Organizations
- Eligibility and Enrollment
- Inpatient or Outpatient Clinics
- Walk-Ins



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How can M2VA Case Managers Help?

- Arrange smooth transfers from the Military to VA
- Address barriers to care
- Provide information about VA benefits
- Coordinate care and manage appointments
- Explore social issues
- Solve problems and identify goals
- Offer support and monitoring as clinically needed



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Hines M2VA Team

Program Coordinator:

Catherine Mazzuca, LCSW
x24406

Program Support Assistant :

Charles Merrick
x22633

Case Managers:

Taylor Brady, LSW
Joe Morales, LCSW
Tanya Pringle, LCSW
Joe Ross, LSW

TBI/Polytrauma Case Managers:

Octavia Stewart, LCSW
Takila Simmons, LCSW

Transition Patient Advocate:

Danny Ziegler



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Homeless Programs

- Healthcare for Homeless Veterans – Outreach, intake, and short-term case management. Linkage to VA and community housing resources.
- Contracted Emergency Residential Services/Low Demand Safe Haven – Same day placement for homeless Veterans. Room and board paid for by VA, on site services provided by contracted community partner. Partners in Chicago, Melrose Park, Maywood, Oak Park, and Aurora.
- Grant & Per Diem – Transitional Housing (average stay is 6-12 months) – VA granted housing programs provided by community partners. Hines VA has three community partners, with Midwest Shelter for Homeless Veterans operating in DuPage.
- Veteran Justice Program – Case management and outreach for justice involved Veterans. Linkage to mental health and substance abuse services as part of mandated treatment through Veterans Treatment Court.
- Housing Urban Development VA Support Housing – Long term case management for Veterans who are homeless. Veteran receive a Housing Choice Voucher. DuPage Housing Authority partners with the VA on 25 of these vouchers.



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Homeless Veterans Programs

- The Veterans Justice Outreach Program covers a total of 7 formal Treatment Courts in our catchment area and began to expand services to include 2 more treatment courts in FY21.

Rachel Safranski serves the DuPage County Court as Hines' Veteran Justice Program Specialist.

Direct number is (708) 202 – 2497

Email: Rachel.Safranski@va.gov.

She outreaches and case manages justice involved Veterans. She assists in providing linkage to mental health & substance abuse services as part of mandated treatment thru Veterans Treatment Court.



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Hines VA Food Pantry

- Opened in November 2014 due to the partnership between Hines VA Hospital, AmeriCorps, and the Greater Chicago Food Depository.
- Weekly food pantry operating on Thursdays from 10am-Noon. Located in the canteen on Hines VA campus.
- Provides food assistance to Veterans, active service members, and their families. Averaging 120 households a week.
- Remained opened throughout the pandemic, adding an outdoor drive-up option.
- The Surplus Project: an extension of the pantry, developed in partnership with Loyola UMC. Left over cafeteria food is packaged into single microwavable meals and provided to Veterans at the pantry and in the Homeless program.



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Women Veterans Program

- Mission: to address the care needs of women Veterans and work to ensure that timely, equitable, high-quality, comprehensive health care services are provided in a sensitive and safe environment
 - Comprehensive primary care by a proficient and interested primary care provider
 - Privacy, safety, dignity, and sensitivity to gender-specific needs
 - The right care in the right place and time
 - State-of-the-art health care equipment and technology
 - High-quality preventive and clinical care, equal to that provided to male Veterans



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Women Veterans Program

- Foundation
 - Women’s Health Medical Director
 - Women Veteran’s Program Manager
 - Women’s Health PSA
 - Women’s Health Program Clinical Coordinator
 - Women’s Mental Health Champions
- Designation
 - Must be offered an assignment to a WH-PCP and WH-PACT team
 - Option to designate their preference for a female or male PCP
 - Must be at least 2 WH PCP at each site of care
 - WH PCP must complete at least 10hrs of CME/CEU in women’s health every 2 years



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Women Veterans Program

- Model 3 Women’s Health Clinic
 - Located Building 200, 12th floor
 - 3 PACT teamlets
 - 12 WH PCPs and a resident clinic
 - 3 MSAs
 - Lactation Room
 - Children’s Play corner
 - Private Restrooms
 - Patient Education computer area
 - Group Room
 - Extended clinical hours
- Specialty Services
 - Gynecology
 - Urogynecology
 - Mental Health
 - Maternity Care
 - Cardiology
 - Nutrition
 - Pharmacy
 - Telehealth
 - Social Work



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Women Veterans Program

- Six Community Based Outpatient Clinics
 - Designated WH-PCPs at each site (minimum 2)
 - WH Liaisons at each CBOC
 - Children’s play area in every CBOC
 - Appointments available face-to-face, over the phone, and VVC



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Women Veterans Program

- Women Veteran Based Groups
 - Confident and Courageous Support Group
 - WoVen: Women Veterans Network
 - MST Support Group
 - Coping Courageously
 - Telehealth Perinatal Support Group
 - Eating Skills
 - Women’s Disability Support Group
 - Women’s Tele-Move
 - Tele-genomics



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LGBTQ+ Specific Services

- Service and PRIDE! support group
- Transgender support group
- Transgender Communication treatment (group and individual)
- Prosthetics for gender affirmation
- Hormone therapy
- Surgical procedures currently not offered, timeline ~2 years until these are available



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Outreach Events

- Glendale Heights American Legion 11/12 (2nd Fri of every month)
- Naperville 12/7 (1st Tues of every month)
- Quarterly DuPage County Suicide Prevention Coalition meeting, which was previously held in-person at the DuPage County Administrative building, currently is now over WebEx.
- Steve Fixler of the DuPage County Veterans Assistance Commission is very active in regard to organizing outreach events. We participated in one last week hosted by his office, on 11/4.



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Patient Advocate Services

A "Patient Advocate is a VA employee who is specifically designated at each VHA facility to manage the complaint process in order to make system improvements by presenting the Veteran's perspective of the problem and desired resolution."

What You Can Expect

We will listen to you.

You will be treated with dignity, courtesy and respect.

We will help you be aware of your patient rights.

We work with your providers to make them aware of your concern(s).

Asking for help will not cause reprisal(s) now or in the future.

We will accept written and verbal concerns, questions and compliments.

Visitors in person or by phone are assisted on a first come, first served basis.

Contact Us:

Monday-Friday
(except Federal Holidays)

By Phone:

(708) 202-2716

Walk In Hours:

Bldg. 1, Room C130
9am– 3pm

By Secure Message:

Send a MyHealthVet message to
"Hines Patient Advocates"

By Mail:

Edward Hines Jr. VA Hospital
5000 S. 5th Avenue
Attn: Patient Advocate (122)
Hines, IL, 60141



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Do I qualify for VA Healthcare?

There are many different factors on who is eligible for VA Healthcare.

The application process is quick and easy.

A DD214 is not always necessary

The only way to determine if you are eligible for VA Healthcare is to apply.

Please Apply Now!!



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Ways to Apply for VA Healthcare

- Online at: <https://www.va.gov/>
- By phone: (877)-222-8387
- By mail: print and send you application to the below address:
Health Eligibility Center
2957 Clairmont Rd., Suite 200
Atlanta, GA 30329
- In Person: The Eligibility and Registration department located in the main lobby has staff trained to assist you with your application.



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Veteran ID Cards

- Veteran Health Identification Cards (VHIC) are available for Veterans Enrolled in VA Healthcare. Eligibility and Registration in the Main Lobby or **your local CBOC**.
- Veteran Identification Cards (VIC) are available for Veterans regardless of their Eligibility for Enrollment for Healthcare.
<https://www.va.gov/records/get-veteran-id-cards/vic/>



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Available Transportation Services

- Travel Claim Reimbursement through Beneficiary Travel Self Service System (BTSSS)
- Veteran Transportation Service
 - Special Mode Transportation (Wheelchair Accessibility)
 - Ambulance Transportation
 - Door to Door Service
 - Shuttle service for Community Based Outpatient Clinics (CBOCs)
 - Community Outreach



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VA Video Connect

VA Telehealth

Real-Time Access to Your VA Care Team Through VA Video Connect

Conduct Visits With Your Provider Through Live Video

VA Video Connect makes VA health care more convenient for you and other Veterans and Caregivers. VA Video Connect enables you to quickly and easily meet with your VA care team through secure and private videoconferencing sessions. You can visit with your provider in a virtual medical room, from anywhere, using the camera on your phone, computer, or tablet.

Talk with your provider about using VA Video Connect if:

- You live far from your VA facility or have limited access to VA facilities.
- You have health conditions that make traveling to the VA specialist you need difficult.
- You lack time to regularly attend in-person appointments.
- You don't require a hands-on physical examination.

A Step-by-Step Guide

1. **Visit the website.** Learn more about VA Video Connect at mobile.va.gov/appstore
2. **Get set up.** Open VA Video Connect by selecting your appointment link. VA Video Connect opens in a web browser on Android, macOS, and Windows. (Apple iPhone and iPad users will need to download the mobile app from the Apple App Store.)
3. **Test your device.** On the VA Video Connect app page, select "test the VA Video Connect test site" to set up your microphone and speakers. You can also ask your VA care team for a practice session.
4. **Troubleshoot technical problems. Need help?** Call the VA National Telehealth Technology Help Desk at 866-651-3180 or 703-234-4483, Monday through Saturday, 7 a.m. - 11 p.m. Eastern Time.

Get Started Today!
mobile.va.gov/appstore

Test Your Device: Apple users will need to download the VC app before testing.

September 2019

U.S. Department of Veterans Affairs



VA U.S. Department of Veterans Affairs
Edward Hines, Jr. VA Hospital
5000 S. 5th Avenue, Hines Illinois 60141

Hines VA Hospital offers a variety of health services to meet the needs of our nation's veterans. Hines offers primary, extended, and specialty care, including women veteran's health care and serves as a tertiary care referral center for its district. Specialized clinical programs include, Blind Rehabilitation, Spinal Cord Injury, Neurosurgery, Radiation Therapy, and Cardiovascular Surgery.

Hines is located 12 miles west of downtown Chicago. Hines VAH currently operates 483 beds and six community-based outpatient clinics in Hoffman Estates, Kankakee, Oak Lawn, Aurora, LaSalle, and Joliet.

All Veterans are encouraged to enroll in the VA health care system. To begin the process, please complete an application online at

www.va.gov/healthbenefits or call:

1-877-222-VETS (8387).



Choose VA

VA



U.S. Department
of Veterans Affairs

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Is my Information in My HealtheVet secure?

My HealtheVet provides you with opportunities and tools to make informed decisions and manage your health care. To learn more, go to: www.myhealth.va.gov.

It is important to protect your information. You are responsible for protecting the personal information you print or download. Protect this information the same way you would protect your banking or credit card information.

- Do not leave your printed information on a printer.
- Do not save your downloaded information to a public computer.

When using a public computer, save your information to a storage device, such as a CD, thumb drive or mobile device. Remember to take it with you when you finish.

My HealtheVet Help Desk

Toll Free Telephone Number:

1-877-327-0022
1-800-877-8339 (TTY)
Monday – Friday
7:00 a.m. - 7:00 p.m.
Central Time

For more information visit www.myhealth.va.gov



Your VA Personal Health Record

Take Control of Your Health & Wellness



“We Got Your Six” ...Assisting Veterans with Estate Planning @2021

**Presented to the DuPage County Bar Association
November 11, 2021**

Karen R. Mills, Aronberg Goldgehn



1

“We Got Your Six”



Let's take a Deep Dive!



2

Honoring America's Heroes

"Our veterans have borne a tremendous burden for our country over the years. After they return home, we have no more sacred obligation than to serve and care for them."



Erica Borggren, Former Director
Illinois Department of Veterans Affairs

3

Veterans Face Unique Estate Planning Issues

- ✓ Aid & Attendance
- ✓ Pension Programs
- ✓ VA Life Insurance
- ✓ VA Burial Benefits



4

Love, Mom



Sometimes we need our families to take care of things when we cannot make decisions for ourselves.

5

Help!



And sometimes it becomes our turn to take care of our loved ones.

6

The Stigma of Mental Health



7

What is Guardianship?

Guardianship is a legal relationship in which one person is appointed by a Court to make personal and property related decisions for someone who no longer can make decisions for himself.

8

Considered a Last Resort

Can be costly and complicated.

Legal rights are taken away for a sound and necessary purpose.

When is guardianship the right thing to do?

9

Common Examples of Guardianship

- **Someone who has had a stroke, is in a coma, or has suffered a brain injury.**
- **A child who is born with Down's Syndrome will not have the ability to make his/her own personal and financial decisions and will need guardianship at the age of 18.**
- **A young adult who develops a serious mental illness and is unable to manage his/her finances and health care.**
- **A senior who develops dementia or has Alzheimer's disease and, over time, loses the ability to make good personal and financial decisions for themselves will need a guardianship.**

10

Who Needs a Guardian?

A disabled person who is unable to make or communicate responsible decisions about his/her affairs due to:

- Physical Incapacity
- Mental Illness
- Mental Deterioration
- Developmental Disability

11

What Does This Mean For Someone With a Mental Illness?

A person could be diagnosed with a mental illness and be perfectly able to make their own health care and financial decisions.

On the other hand, a person who has a severe mental illness that is not under control may be unable to make their own decisions about health care treatment and financial matters.

12

Consider These Steps Before Guardianship

- Determine the individual's ability or inability to handle his/her own affairs.
- Identify if the Agent under a Power of Attorney is available to assist the person who needs help.
- Encourage a trusted family member or friend to become guardian if necessary.
- Refer to other agencies for services.
- Counsel the individual to accept help.

13

Goals of Guardianship

- Protection from neglect, exploitation or abuse.
- All guardians appointed, both public and private, are charged with the development of the maximum self-reliance and independence of the ward.
- *What do you do when the guardian is not doing their job?*



14

Basic Requirements

- Medical examination by a licensed physician is required to determine mental incapacity.
- Petition filed in Court by an attorney.
- Judge appoints a *Guardian ad Litem* to interview the alleged disabled person.
- Judge determines need for guardianship and appoints a guardian, with the same rights, powers and duties as parents have over minor children.

15

Two Questions

When the judge is determining the need for guardianship, two questions must be answered:

- Is this person able to make and communicate their own health care or financial decisions?
- If the answer is no, then who should be appointed to make those decisions for the person who is disabled?

16

Ability to Make & Communicate Decisions

The fact that a person has a mental disability does not automatically dictate a need for guardianship. The test for determining the need for guardianship focuses on the ability of the person to make decisions and to properly communicate decisions once made. Making incorrect or ill-advised decisions on a periodic basis is not the test. Rather, it is an inability to engage in the decision making in the first place which is important.

17

The Decision Making Process



A practical set of questions that may be addressed are as follows:

- Does the person understand that a particular decision needs to be made?
- Does the person understand the options available in any decision?
- Does the person understand the consequences of each option?
- Is the person able to properly inform appropriate parties once the decision has been made?

18

Types of Guardianships

The level and type of assistance needed by the disabled person determines the kind of guardianship awarded:

- Guardian of the Person
- Guardian of the Estate
- Limited vs. Full
- Plenary vs. Temporary

19

Choice of Guardian

The Court will appoint a Guardian based on level of assistance needed, the preferences of the disabled person, as well as the proposed guardian's ability to function in this capacity.

* * *

Sometimes there are several individuals seeking guardianship over the same person at the same time. *Who would be the BEST choice?*

20

Guardian of the Person

The Guardian of the Person is appointed when a disabled individual cannot take care of his/her own personal needs, such as medical care, residential placement and education.

21

Guardian of the Estate

The Guardian of the Estate is appointed when the disabled person cannot take care of his/her own financial needs, such as balancing a check book, paying bills, managing finances or maintaining real estate.

22

Limited vs. Full

The Court has the option of appointing a Limited Guardian rather than a Full Guardian in cases where the disabled person is not totally disabled and can make some decisions on his/her own. Otherwise, in a Full Guardianship, the disabled person is stripped of the ability to make any consequential decisions.

23

Temporary vs. Plenary

The Court has the option of appointing a Temporary Guardian when time prevents a Plenary Guardianship from being established. A Temporary Guardian typically has a limited range of authority granted to it by the Court. A Temporary Guardian may be used in emergencies, but requires thorough investigation before filing to avoid consequences. A Plenary Guardian makes ALL important decisions.

24

Who May Act as a Guardian?

- Capable of providing an active and suitable program of guardianship for the disabled person, and be
- 18 years of age or older, and
- Resident of the United States, and
- Not of unsound mind; and
- Not adjudged a disabled person as defined by the Probate Act; and
- Has not been convicted of a felony
- Banking Institution may be assigned only as guardian of estate.

25

Family as Guardian



If your loved one needs a guardian, you can ask the Court to appoint you as either Guardian of the Person, Guardian of the Estate or both. You will have an obligation to act in the best interest of the person who is disabled and make good choices for him or her. You will also have an obligation to report back to the Court and request permission for certain actions prior to doing them.

26

Professional Guardian



If there are no family members who can act as guardian, or if there are no trustworthy family members who can act, the Court may appoint a third party professional guardian to fill this role. The professional guardian's job is similar to that of any other party acting as a guardian, but often their knowledge of the process can be quite helpful in difficult situations or when families are fighting.

27

Office of Public Guardian



Public Guardians are appointed for disabled adults needing guardianship to monitor their care and administer their estate when no one else is available to fill this role.

- The estate is valued at more than \$25,000
- The Governor appoints Public Guardians per county although not every county has a Public Guardian.

28

Office of State Guardian



Appointed by the court as a “guardian of last resort,” the Office of State Guardian (OSG) provides case services and money management to more than 5,400 persons with disabilities.

OSG is appointed in cases in which the disabled person has less than \$25,000 in assets.

29

Requirements to Establish Guardianship

- Petition to Appoint Guardian
- Physician’s Report signed by a medical doctor
- Surety Bond
- Summons
- Guardian ad Litem (GAL) appointment & report

30

Court Appearances

- Request for Temporary Guardianship
- Request for Plenary (permanent) Guardianship
- Inventory and/or Budget (within 60 days)
- Report on Condition of Ward
- Annual Accountings

31

Rights of Respondent



-
- Right to be present at the court hearing
 - Right to be represented by a lawyer
 - Right to ask for a jury of six persons
 - Right to present evidence and confront and cross-examine witnesses
 - Right to ask for an independent expert to examine you and give an opinion about the need for guardianship
 - Right to ask for the hearing to be closed to the public
 - Right to tell the court your preference for guardian

32

What Authority Does the Guardian Have?

According to the Illinois Probate Act, the Guardian only has the authority granted to him or her by the Guardianship Court. The Judge will identify the scope of the decision making authority and request that periodic reports be made to the Court to identify the outcome of that authority granted.



33

Can the Guardian Admit Ward to Mental Health Facility?

- A guardian of the person may not admit a ward to a mental health facility unless:
- Admission is at the ward's request as provided in the mental Health Code; and
- The ward has the capacity to consent to such admission as provide in Article IV of the Mental Health Code
- If a ward does not request or consent to treatment or lacks capacity, the guardian may initiate involuntary commitment proceedings.

34

Can the Guardian Authorize Psychotropic Medication?

- A guardian may consent to psychotropic medication for a non-objecting ward
- If the ward is objecting, treatment can be provided on an emergency basis or by court order by filing a Petition for Involuntary Treatment
- These limitations do not apply to facilities licensed under the Nursing Home Care Act, therefore, consider the option to use psychotropic medications or ECT on an emergency basis in the nursing home.

35

Illinois Guardianship and Advocacy Commission (GAC)

Created in 1979, the Illinois Guardianship and Advocacy Commission protects the rights and promotes the welfare of persons with disabilities. By providing legal representation, investigating complaints of rights violations and providing state guardianship for Illinois' population with disabilities, the Commission has given voice to those who have previously gone unheard.

36

Human Rights Authority

With the assistance of a team of volunteers, the Human Rights Authority (HRA) conducts investigations of alleged rights violations by providers against people with disabilities. Additionally, this program area works closely with providers to help resolve rights issues.

37

An Alternative to Guardianship Power of Attorney

If the disabled person is able to understand the consequences of signing a Durable Power of Attorney for Health Care and Durable Power of Attorney for Property, then authority can be given to someone to make personal or financial decisions.

The Agent is under no duty to exercise the powers granted, but when it is exercised, the agent shall act in good faith for the benefit of the principal using due care, competence and diligence in accordance with the terms of the document.

38

Differences in Authority Power of Attorney and Guardianship

	Agent under Power of Attorney	Guardian
Admission to Mental Health Facility	Yes	Only if ward is not objecting and has capacity to consent
Consent to Psychotropic Medications	Yes	Only if ward is not objecting
Access to and Disclosure of Information	Yes	Yes

39

Power of Attorney

- A Power of Attorney allows you to carefully select the person you want to act for you without input from the judge.
- Must be drawn up and signed before a person is deemed incompetent.
- Authority remains in effect after incapacity (“durable”).
- Limitations on how it can be used.

40

Potential Issues Powers of Attorney



What happens when the Principal terminates the Agent under the Power of Attorney?

What happens when the Agent under the Power of Attorney for Health Care does not agree with the Agent for the Power of Attorney for Property?



41

Mental Health Issues & the Power of Attorney

- **The Agent under the Power of Attorney can admit the Principal to the mental health facility (755 ILCS 45/4-10)**
- **The Agent can consent to the administration of psychotropic medications (405 ILCS 2-102.1(e))**
- **The Agent has access to mental health records (740 ILCS 110/4(a)(6) and 755 ILCS 45/4-10)**
- **The Agent has complete authority as long as the Principal does not revoke the Power of Attorney**

42

Mental Illness Defined

- The Illinois Mental Health and Developmental Disabilities Code defines mental illness as follows:
- A mental or emotional disorder
- That substantially impairs a person's thought, perception of reality, emotional process, judgment, behavior, or ability to cope with the ordinary demands of life,
- But does not include
 - a developmental disability
 - dementia or Alzheimer's Disease absent psychosis
 - a substance abuse disorder or
 - an abnormality manifested only by repeated criminal or otherwise antisocial conduct

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Involuntary Admission: Inpatient

A person with a mental illness who

1. because of his or her illness is reasonably expected, unless treated on an inpatient basis, to engage in conduct placing such person or another in physical harm or in reasonable expectation of being physically harmed; OR
2. because of his or her illness is unable to provide for his or her basic physical needs so as to guard himself or herself from serious harm without assistance of family or others, unless treated on an inpatient basis; OR
3. refuses treatment or is not adhering adequately to prescribed treatment, AND because of the nature of his or her illness is unable to understand his or her need for treatment AND if not treated on an inpatient basis, is reasonably expected, to suffer mental or emotional deterioration and is expected to meet the criteria in #1 or #2 above.

44

Patient Rights



- Patient has the right to refuse treatment, including hospitalization, outpatient services, examination, diagnosis, evaluation, care, training, psychotherapy, and pharmaceuticals.
- If psychotropic medications are part of the treatment plan, the recipient must be informed in writing of the side effects, risks, benefits, and alternatives.
- No recipient of services shall be presumed to be legally disabled by virtue of being admitted to a psychiatric unit.

45

Medications and ECT

Psychotropic medications and ECT may be administered on an emergency basis if "necessary to prevent the patient from causing serious and imminent physical harm to the patient or others and no less restrictive alternative is available. "



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Restrictions on Emergency Medications and ECT

- Up to 24 hours
- For a period not more than 72 hours unless a petition is filed and treatment continues to be necessary
- No long lasting psychotropic medications allowed
- Petition for Administration of Psychotropic Medications/Electroconvulsive Therapy
- Order no more than 90 days, designate person to administer treatment and specify the medications and anticipated range of dosages

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Legal Advocacy Service

Legal Advocacy Service (LAS) represents persons with disabilities at commitment hearings and provides attorneys to enforce the rights of those with disabilities under the Illinois Mental Health and Developmental Disabilities Code and other related laws.

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LAS Assistance



- Information
- Referral
- Legal Representation



49

National Alliance on Mental Illness (“NAMI”)

NAMI DuPage’s mission is to provide support, advocacy and education in order to improve the quality of life of individuals with mental illnesses and their families.



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NAMI Support Programs

- Family Support Groups
- Individual Support Groups
- Youth Support Group
- Living Room
- Family & Individual Peer Counselors



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NAMI Social & Recreation Programs



- **Weekly Day and Evening Programs:** Yoga, Personal Fitness, Art, Jewelry Making, Games and more!
- **Special Events:** Bowling and pizza, Mini Golf, Nature Walks, Manicures, Family Picnics, Candy and card making and more!
- **Drop In Centers:** Three different programs that meet regularly offering a free meal and activity

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NAMI Education Programs

- Family-to-Family
- NAMI Basics
- W.R.A.P.
- Mental Health First Aid



53

NAMI Supported Employment

- Job Readiness Classes
- Rise & Shine Café
- Rise & Shine Print Shop



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Mental Illness Alternative Program (MICAP)

The purpose of MICAP is to redirect offenders who have a mental health diagnosis that was a contributing factor in the commission of a crime.

MICAP provides a sentencing alternative with the focus on integrated treatment services diverting the offender from traditional prosecution.

55



MICAP Program Overview

MICAP is a 12-36 month program, based on the nature of the offense, treatment needs, and compliance.

Treatment Plans can include meeting with psychiatrists, mental health clinicians, and probation officers. Other individualized treatments can include specific disorder treatment, counseling, employment coaching and/or benefit application assistance.

Successful completion of MICAP can result in reduced or dismissed criminal charges.

56

Protecting the Vulnerable

When a loved one cannot make proper decisions of their own, it is important to protect them from abuse, financial exploitation or neglect. Mental Health Court or Guardianship Court can help you, help your loved ones, and your clients in protecting what matters to them.



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Resources for You

- Illinois Probate Act - 755 ILCS 5/
- Guardians for Disabled Adults - 755 ILCS 5/11a
- Mental Health and Developmental Disabilities Code - 405 ILCS 5/
- Illinois State Bar Association – *Serving as a Guardian for an Adult with Disabilities* - <https://www.isba.org/public/guide/guardianadultdisability>
- Office of State Guardian – *A Guide to Adult Guardianship in Illinois* - <https://www2.illinois.gov/sites/gac/OSG/Pages/Guide-to-adult-guardianship-in-Illinois.aspx>
- Office of State Guardian – *Guardianship Fact Sheet* – <https://www2.illinois.gov/sites/gac/OSG/Pages/Guardianship-Fact-sheet.aspx>
- Illinois Power of Attorney Act - 755 ILCS 45/

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Resources for You (Cont'd)

- NAMI DuPage County Community Center - 115 N. County Farm Rd., Wheaton, IL 60187 – 630/572-0066 – namidupage.org/
- Legal Advocacy Service
 - Chicago Regional Office – 312/793-5900
 - North Suburban Regional Office – 847/294-4264
 - West Suburban Regional Office – 708/338-7500
 - Mental Illness Court Alternative Program (MICAP)
- Mental Illness Court Alternative Program (MICAP) - Drug Court/MICAP
Program Manager: Bernadine McFarland, LCSW – 630/407-8448 – bernadine.mcfarland@dupageco.org

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Closing

“On the battlefield, the military pledges to leave no soldier behind. As a nation, let it be our pledge that when they return home, we leave no veteran behind.”



-Dan Lipinski

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Questions?



Karen R. Mills, Member
Aronberg Goldgehn
301 E. County Farm Road, Suite F, Wheaton, IL 60187
312/923-7330
Karen.mills@agdglaw.com



DuPage County Specialty Court: Veterans Treatment Court

DuPage County Specialty Court Team:

Hon. Paul Marchese, Public Defender Andrea Neumann, Assistant State's Attorney Jessica Sisler, Probation Officer Deena Kuranda, Veterans Administration Rachel Safranski, DuPage County Health Department Andrew O'Brien

November 11, 2021

VETERAN: 730 ILCS 167/10

ANY PERSON WHO SERVED IN THE ACTIVE MILITARY, NAVAL, OR AIR SERVICE AND WHO WAS DISCHARGED OR RELEASED UNDER CONDITIONS OTHER THAN DISHONORABLE WITH A TREATMENT NEED (MENTAL ILLNESS, SUBSTANCE ABUSE, OR OTHER).

DuPage County Statistics

2020

- New Applicants= 7
- Withdrawn= 0
- Terminated= 1
- Graduated= 4
- Active= 19

2021 (as of 10/31/21)

- New Applicants= 14
- Withdrawn= 4
- Terminated= 2
- Graduates= 5
- Active= 21

Veteran Court Case Eligibility

730 ILCS 167/20

A. Charged with (non)*probationable offense & approved by the Court

1. Felonies & Misdemeanors
2. PTR cases approved by the Court

B. Treatment need

1. Substance use disorder
2. Mental Health diagnosis

C. Exclusions

1. 'Crime of Violence' per 730 ILCS 167/20(b)(3)
2. Treatment unwillingness
3. Convicted of 'crime of violence (b)(3)' within the past 10 years

*As of July 2021, non-probationable offenses eligible for application

RESIDENCY IS NOT A PROGRAM REQUIREMENT

STAFFING: Eligible vs. Acceptable

- **Caselaw: *People v. Paranto*, 2020 IL App (3d) 160719**
 - Ruling in a nutshell: if a defendant is statutorily eligible (no statutory exclusions) to be screened, the defendant's application shall be screened and evaluated
 - HOWEVER. . . This does NOT entitle the defendant's acceptance and contract into the Specialty Court Programs
 - If the defendant is found eligible, the Team then 'staffs' the case for defendant's acceptability

Outline of Veteran Court Procedure*:

Application to Court

Staffing: Eligibility/Criminal History Report

Screening process

Staffing: Acceptability

Contract / Plea or rejection

Phases 1-4

Weekly staffing and status hearings

Sanctions and incentives.

Voluntary Withdrawal / Neutral Discharge /

Unsuccessful Termination

Graduation

*see DCBA CLE dated November 2020 for full explanations

Tips for Success:

- **VOLUNTARINESS**: review the handbook and program expectations with your client **BEFORE** application.
- **COMMUNICATION**: after application submission, make sure your client **attends the screening appointment** with Probation.
- **HONESTY**: missed appointments, substance use, bond violations, etc. Participants should **tattle on themselves!**
- **TEAMWORK**: Attorneys need to **be at every staffing and status date!** Per IAPSC seminar, attorney presence at both staffing and status hearings leads to a statistical increase in a participant's success.

Contact & Resources

- ASA Jessica Sisler:
saomicapdrugcourt@dupageco.org
- Veterans Crisis Line: 1-800-273-8255 Press 1
- Help for Homeless Veterans: (877) 424-3838
www.va.gov/homeless
- Hines VA Hospital: (708) 202-8387 (202-VETS)
www.hines.va.gov
- PTSD: www.ptsd.va.gov
- DuPage County Veterans Assistance
Commission: www.dupageco.org/vac

QUESTIONS???

Goals of Veterans Court

- Reduce stigma of a criminal record for veterans and active military
- Improve access to VA benefits and services
- Reduce the time and costs of incarceration
- Reduce the number of crimes committed by Veterans with substance abuse, traumatic brain injury, PTSD and/or mental health issues due to their military service.
- Redirecting veterans with treatment needs from the traditional court system to VA based treatment

Key elements of Veterans Court

- Highly structured judicial intervention process for veterans that bring together Veteran Administration treatment services and intensive judicial monitoring through
- Community based treatment plans designed by court and Veteran Administration professionals
- Compliance with treatment plan is closely monitored. Sanctions are imposed for non-compliance and incentives are given to reward compliance

Veterans Court Program Staff

Honorable Paul Marchese, Judge
Jessica Sisler, Assistant State's Attorney
Andrea Neumann, Assistant Public Defender
Bernadine McFarland, Program Manager
Deena Kuranda, Senior Probation Officer
Elizabeth Gallichio, LCSW Hines Veterans
Justice Outreach Specialist



DuPage County Veterans Court

A program that provides assistance and support for Veterans involved in the Criminal Justice System



For further information contact
Bernadine McFarland
630-407-8448

bernadine.mcfarland@dupageco.org

Program Overview

- Veterans Court is intended for veterans whose treatment needs contributed to the commission of a crime.
- The concept is to provide treatment in lieu of punishment.
- Duration of the program is 12-30 months, and is determined by the nature of the offense, treatment needs and compliance.
- After successful completion of the program, the criminal charges may be reduced or dismissed.

Eligibility Criteria

- Program is for adult veteran offenders with misdemeanor or felony offenses, that are eligible per the veterans court statute.
- Applicant must have a treatment need such as substance abuse, mental health, PTSD, etc.
- Victim consent is needed when appropriate.
- Applicant must have a desire and willingness to participate in the program.

The Referral Process

- Should have an honorable, general, and in some cases, an other than honorable discharge from the military.
- Defense attorney must file a Veteran's Court application order in court
- Defense attorney or offender must fill out the Veterans Court Application Packet and turn it into the Adult Probation Department
- The criminal history, offense report and application packet to determine initial eligibility
- The VJOS determines if the veteran is eligible for VA benefits and services
- If appropriate, a Probation Officer and the VJOS meet with the veteran to screen for treatment needs and criminal risks
- If all criteria are met, and applicant appears motivated for treatment, they will be accepted to the program. A treatment plan will then be developed with the participant and Veterans court team.

Treatment Plan

- Participants must comply with a treatment plan. The individualized treatment plan is based upon: clinical symptoms, criminal risk factors, strengths and goals of the participant, and may include:
 - Meeting with psychiatrist and compliance with psychiatric medication
 - Regular visits with the VJOS, probation officer, or other treatment provider as deemed appropriate
 - Regular court appearances
 - Treatment for co-occurring substance abuse/addiction if needed
 - Other interventions may include: anger management counseling, employment coaching, assistance with benefit application, individual therapy, other disorder-specific treatment as needed.

STATE OF ILLINOIS
CIRCUIT COURT OF THE 18th JUDICIAL CIRCUIT
COUNTY OF DUPAGE

PEOPLE OF THE STATE OF ILLINOIS,

vs.

Case Number: _____

Defendant.

VETERANS COURT APPLICATION

Now comes the above captioned Defendant and petitions this Court to file an application to participate in the DuPage County Veterans Court Program; by filing this application the Defendant acknowledges and agrees to the following:

1. Defendant shall comply with all assessments and evaluations requested by DuPage County Veterans Court;
2. Defendant shall sign all releases of information forms as directed by Probation;
3. Upon application to Veterans Court, the Defendant and the Defendant's attorney authorize the exchange of information between the DuPage County Veterans Court Agencies (Program Coordinator, Department of Probation and Court Services, Public Defender's Office and State's Attorney's Office), designated treatment providers and related agencies as is necessary to determine eligibility for the Veterans Court Program;
4. Defendant must have health care benefits, health insurance or enroll for coverage under the Affordable Care Act, and provide DD214 discharge paperwork;
5. Defendants *on bond* shall attend and actively participate in all pre-treatment groups through Probation. Defendants *in custody* shall attend and actively participate in programming (if available) provided in the DuPage County Jail, as directed by Probation or the Court;
6. Defendant shall not possess or ingest alcohol, cannabis or illegal drugs;
7. Defendant shall submit to all chemical testing including urinalysis requested by DuPage County Veterans Court and understands that if the results are positive for alcohol, cannabis or illegal drugs, he/she can be taken into custody;
8. Defendant shall not possess any firearms or other dangerous weapons from the time of the application through the conclusion of his/her participation in Veterans Court;
9. Defendant waives any speedy trial rights he/she may otherwise have during the pendency of this application;
10. The Probation Department shall complete a Criminal History Report.

Signature of Defendant

on bond in custody

Printed Name of Attorney/Phone Number

ORDER

IT IS HEREBY ORDERED that this matter is continued to _____ at 9:05 A.M. in Courtroom 4001 for status on the defendant's application.

DATE: _____

ENTER: _____

DuPage County Veterans Court

PARTICIPANT HANDBOOK



DuPage County, Illinois
18th Judicial Circuit

WHAT IS VETERANS COURT?

Veterans Court is a court supervised program for Veterans who have been charged with a criminal offense and to assist them by addressing their specific treatment needs such as mental health, substance use, anger management, or intimate partner violence.

Veterans Court services are tailored to your individual needs, including but not limited to consultations for mental health services, crisis intervention services, medical services, substance use disorders, trauma specific treatment and anger management issues. Additional services may include referrals for an employment program, TBI services, cognitive behavioral groups, trauma focused treatment, and/or intimate partner violence groups as needed.

Veterans Court combines the efforts of the Judiciary, the State's Attorney's Office, the Public Defender's Office, the Probation Department, and the Veterans Administration. Also, community agencies partner with Veterans Court to provide the services indicated above.

Veterans Court is a voluntary program and includes regular court appearances, treatment appointments, frequent appointments with a probation officer, and random drug testing.

MISSION STATEMENT

The mission of the Veterans Court program is to enhance the quality of life for participants by engaging in treatment and community-based support systems that uses a problem-solving court model to facilitate new skills which leads to a reduction in recidivism and the stigma associated with having a criminal record.

GOALS OF THE VETERANS COURT PROGRAM

- Reduce the stigma of having a criminal record for veterans and active military personnel
- Improve access to VA benefits and services
- Reduce the time and costs of incarceration
- Reduce the number of crimes committed by veterans with substance use disorders, traumatic brain injury, PTSD and or/mental health issues due to their military service
- Redirecting veterans with treatment needs from the traditional court system to the VA based system.

WHAT'S IN IT FOR ME?

- The Veterans Court staff will help you get mental health treatment, substance abuse treatment, trauma focused services, TBI services, clinical case management services, medication, counseling and supportive services to meet your individual needs.
- If you comply with your treatment plan and avoid further criminal activity, your criminal charges may be reduced or dismissed, depending on the terms of your individual Veterans Court contract.

DUPAGE COUNTY VETERANS COURT ELIGIBILITY CRITERIA

- You must be 18 years or older
- You must be a citizen or legal resident of the United States;
- You must be charged with a probationable offense (misdemeanor or felony);

- You must have a treatment need such as substance use disorder or mental health diagnosis;
- You must be willing to participate in all recommended treatment;
- You must, prior to applying, resolve all out of county cases (e.g. pending cases, warrants or holds);
- You must, prior to applying, resolve all DuPage County cases not being considered for Veterans Court;
- No one will be excluded from Veterans Court based upon their gender, race, nationality, ethnicity, limited English proficiency, disability, socio-economic status, or sexual orientation;
- If you need an interpreter to understand the application process, the court will make one available.

EXCLUSIONARY FACTORS

- If you are unwilling to participate in treatment;
- If you have committed a crime of violence in the past ten years, excluding periods of incarceration. A crime of violence pursuant to the Veterans Court Treatment Act, (730 ILCS 167/20 et, seq.), defines a crime of violence as, including but not limited to, first degree murder, second degree murder, predatory criminal sexual assault of a child, aggravated criminal sexual assault, criminal sexual assault, armed robbery, aggravated arson, arson, aggravated kidnapping, kidnapping, aggravated battery resulting in great bodily harm or permanent disability, stalking, aggravated stalking, or any offense involving the discharge of a firearm.

THE VETERANS COURT TEAM

The Judge heads the collaborative team made up of representatives of the State’s Attorney’s Office, the Public Defender’s Office/defense attorney, the Coordinator/Program Manager, the Veterans Administration, and the Probation Department. The team reviews all screenings and clinical evaluations for new participants, and reviews case status reports that are provided for weekly court staffings. The collaborative team monitors your progress and makes recommendations regarding incentives and sanctions. In addition, the team shares the common goal of supporting your success in the program.

- **Judge:** final decision maker
- **Assistant State’s Attorney:** represents the People of State of Illinois
- **Public Defender/Defense Attorney:** represents you and ensures your constitutional rights
- **Coordinator:** the liaison to all the team members, treatment providers, and point person for program policy and procedure operations
- **Probation officers:** monitor your progress and provide the team with up-to-date status reports for staffing/court status hearings
- **Veterans Justice Outreach Specialist:** assists in the initial assessment to provide records and information, makes treatment recommendations, helps develop treatment plans and helps link with services at the VA.

THE VETERANS COURT APPLICATION PROCESS

1. The application process begins when the defense attorney meets with you to explain Veterans Court expectations, and you agree to pursue entry into the program. You must file a Veterans Court Application in court.
2. This application prompts a criminal history report, which is generated by the Probation Department.
3. The case for which an application is made will be temporarily re-assigned to courtroom 4001 for the duration of the Veterans Court application process.
4. The same day the Veterans Court application order is entered, you and your defense attorney must report to the Probation Department in the 18th Judicial Circuit to complete an application packet.
 - a. The application packet includes a
 - i. Request for Consideration in Veterans Court
 - ii. Ongoing Release of Confidential Information Form
 - iii. Preliminary Information Sheet
5. Upon the completion of the criminal history, your application will be reviewed. A determination will then be made by the Veterans Court team as to your eligibility to participate in the program.
6. If found to be eligible, an appointment for the intake and screening assessment will be scheduled with a probation officer and Veterans Justice Outreach Specialist. The screening process includes a VA assessment completed by the Veterans Justice Outreach Specialist and the probation officer. The assessment process will provide information regarding specific treatment needs which will be integrated into a treatment/case plan. The probation officer then completes a criminal risk assessment, which is utilized to formulate and develop the probation case plan. Once the assessment is completed, a written assessment is sent to all members of the Veterans Court team.
7. You will be provided with this written handbook that sets forth the program requirements. You shall sign the receipt of handbook form. The probation officer shall maintain a copy in their file.
8. The content of the assessment is discussed at the staffing prior to the your next court date. Your treatment recommendations and case plans are determined and become a part of the Veterans Court Plea Agreement and Contract.
9. Prior to entry into the program, the defense attorney will review with you the Consent to Participate in Veterans Court, and the Plea Agreement and Contract. Once questions have been answered and documents have been read and signed, the judge will undertake appropriate plea proceedings, consistent with the law, Supreme Court Rule 402 and PSC Standard 7.2(e). You will be advised of the treatment recommendations at that time.

WEEKLY STAFFING AND COURT

The Veterans Court team meets prior to the court date for staffings to discuss each participant on the call. During staffing, the team identifies appropriate responses to address problematic behavior, rewarding positive behavior, and recommendations for therapeutic adjustments. During court, the participant's

performance and progress is addressed by recognizing and encouraging positive behavior and addressing and sanctioning negative or unproductive behavior and by making therapeutic adjustments through treatment recommendations.

Probation officers and all team members are present in court for the entire court call, which provides an opportunity for you to seek answers to any questions you may have.

The frequency of your court hearings is based upon your assessed risk level, current Veterans Court phase and level of compliance with the program.

If emergencies occur between weekly court dates, the Veterans Court team is notified and a collaborative discussion with all team members occurs. The Assistant State's Attorney and Public Defender/defense attorney may need to appear before the Judge on a non-Veterans Court day, if a court order needs to be entered prior to the next Veterans Court court call. The team recommendations are presented to the Judge, and the Judge makes the final decision on all court orders.

CASE SUPERVISION

You will be assigned a probation officer who is responsible for case planning, monitoring accountability, and providing direct service.

The foundation of supervision is individualized case management which requires that a comprehensive, individualized case plan is developed with and signed by you, the participant. The case plan is reviewed monthly and modified as appropriate. The case plan is based on your risk assessment and includes your plans for education, employment and housing. You are asked to provide a restorative plan identifying how you intend to repair the damage caused by your actions to the victim and the community. You are required to provide a long-term plan identifying how you intend to engage support and maintain a healthy lifestyle. The probation officer is responsible for assisting you to accomplish your goals and objectives, which may include obtaining necessary collateral services such as housing, referrals to employment skills training and transportation.

Initially, the probation officer meets with you frequently to monitor your compliance with conditions of the Veterans Court Plea and Contract, to monitor your level of compliance with psychiatric treatment, clinical services and medication. As you progress through the program, the frequency of contacts and the number of court appearances may decrease.

TREATMENT

The Veterans Justice Outreach Specialist and probation officers assist you in securing treatment and benefits. You may be referred to additional services, groups and treatment, if additional needs are identified.

The Veterans Association, National Alliance on Mental Illness (NAMI) and other veteran community resources offer classes, support programs, educational programs and social and recreational programs for individuals and their families.

TESTING FOR SUBSTANCE USE

Veterans Court uses a variety of tests to measure your progress in the program and to hold you accountable to the zero-tolerance requirement of the program. Drug testing is done primarily through urine screens. Alcohol testing is done using Breathalyzers, urine screens and an electronic device called SCRAM (Secure Continuous Remote Alcohol Monitoring).

All Veterans Court participants are informed regarding substance use testing policies and procedures. Staff explain testing procedures to you and inform you that you will be submitting to random screens throughout the program. You are required to sign an agreement to comply with testing requirements, which include direct observation of the sample submission and reporting of results to the Veterans Court team. Therapeutic responses and/or sanctions may be imposed for positive tests; a test that is diluted or abnormal is treated as a positive drug test.

You must comply with drug testing as directed by Probation and the Court. Additionally, you may be assigned a color by your probation officer for random drug testing and are instructed to call the drug testing hotline number each morning. A recorded message indicates the colors that are being tested that day and the hours the lab is open. When your color is called, you are required to report for a urine test that same day.

If the urine screen is positive and you deny use of drugs or alcohol and want to contest the positive test result, the sample can be sent out for confirmation. You will be required to pay for the confirmation test. If the confirmation test comes back negative, the cost will be refunded to you. If the confirmation test comes back positive, the money is not reimbursed. Any drug test that comes back diluted or abnormal is reported to the team. If a test result comes back as abnormal, the participant may be required to report to probation and provide a new test.

You may be permitted to test off-site with the approval of the Probation Department or the Court.

If you are caught tampering with a test, the State's Attorney's Office will be contacted, and you may be charged with a class 4 felony for Tampering with a Drug Test.

Secure Continuous Remote Alcohol Monitoring (SCRAM) may be ordered on a case-by-case basis as a sanction for continued alcohol use. SCRAM testing equipment is monitored by the Probation Department.

Failing to submit to testing is considered non-compliant behavior and may result in a sanction.

SANCTIONS, INCENTIVES AND THERAPEUTIC ADJUSTMENTS

Veterans Court aims to encourage positive behavior and discourage negative behavior. The goal of the Risk-Needs-Responsivity model for rehabilitation is to be responsive to your needs as a participant such as mental health, substance use, trauma etc., identify and enhance your strengths while also considering your level of risk to re-offend.

The key concepts in this model include:

CERTAINTY: You know the sanctions that can be imposed for certain negative behavior, and the rewards earned for positive behavior.

SWIFTNESS: Sanctions, rewards and therapeutic adjustments are given as quickly as possible after the team becomes aware of the behavior.

FAIRNESS: Evenhanded and impartial implementation of any sanction or reward occurs for all participants.

Sanctions will be graduated; they will increase or decrease in magnitude and frequency according to the significance or frequency of your behavior. Prior to imposing any sanction/incentive/therapeutic adjustment, the judge advises you in open court of the nature of the proposed sanction/incentive/therapeutic adjustment and the reasons for its imposition, and then the judge provides you an opportunity to address the court.

A variety of sanctions may be imposed for violations of Veterans Court, including but not limited to the following:

- Admonishment from the team
- Reading/writing assignments
- Letter of apology
- Increase in the number of weekly self-help group meetings
- Perform community service hours
- Increased frequency of status hearings
- Increased urinalysis testing
- Increased frequency of contacts with the Veterans Court team
- Extension of duration in Veterans Court
- GPS (Global Positioning System) monitoring
- SCRAM (Secure Continuous Remote Alcohol Monitoring)
- Serve a term of Periodic Imprisonment
- SWAP (Sheriff's Work Alternative Program)
- Jail sanction
- Program termination and sentencing

A variety of therapeutic adjustment may be imposed for violations of Veterans Court, including, but not limited to the following:

- Adjustments to one's treatment plan (increase or decrease in the level of care)
- Individual counseling
- Parenting classes
- Anger management
- Substance abuse treatment
- Psychiatrist/Mental Health appointments

The following is a partial list of events that may result in a sanction and/or therapeutic adjustment:

- New criminal offense
- Missed appointments with Veterans Justice Outreach Specialist and/or Veterans Court probation officer
- Missed court appearance without prior approval
- Failure/refusal to take medication
- Failure/refusal to provide a sample for substance use testing
- Violations of rules of a treatment provider or housing provider, including violence or threats of violence

- Use of alcohol, illegal drugs, or any other mind-altering substance, unless authorized by a physician and the Veterans Court team
- Failure to follow the directions of the Veterans Court judge and/or Veterans Court team

The following is a partial list of events that may lead to incentives:

- Attending all court status hearings
- Attending all probation and/or treatment groups
- Making progress in treatment
- Providing negative urine screens
- Gaining or maintaining employment
- An educational achievement

The following is a partial list of ways the judge and the team can acknowledge the participants' progress with incentives and rewards:

- Be an All Star, have the participant's case called first in court
- Reduce the frequency of appointments with the VA Staff and/or probation officer
- Reduce the frequency of appearances before the Veterans Court judge
- Approve a travel pass or furlough
- Reward with certificates

PHASES OF TREATMENT

There are four phases to Veterans Court prior to graduation from the program. To move from one phase to another, certain requirements must be met. Once completed, you may make written application with proof of completion to your probation officer explaining why you are ready to move to the next phase. This written request will be reviewed and approved or denied by the Veterans Court team. When you complete each phase, you will receive a certificate of completion and recognition during court services.

PHASE I

This phase includes stabilization, orientation, and assessment. Phase I will focus on educational learning resources and maintaining a sober/drug free lifestyle.

Phase 1 Requirements:

- Comply with all recommended treatment
- Complete orientation
- Comply with treatment appointments and recommendations
- Assess housing needs
- Meet with probation officer as required
- Attend all scheduled court dates
- Urine, drug/alcohol screens are negative
- Obtain a mentor or sponsor if applicable
- The participant demonstrates sufficient insight into his/her treatment needs as evidenced by their explanation of insights and skills that they have acquired.
- Sign releases of information as directed
- Approval by the Veterans Court Team

You can advance to Phase II, if compliant with Phase I requirements, you have been drug and alcohol free for at least 45 days, and the Veterans Court Team approves your Veterans Court Phase II Transition Application.

PHASE II

During this phase, you will focus on identifying an appropriate support system, continue with recommended therapy and concentrate on recovery education.

Phase II Requirements:

- Continue to meet all Phase I requirements
- Explore employment, education or volunteer opportunities (if applicable)
- Obtain stable housing, if applicable
- Pay probation fees (\$25.00 a month)
- Establish at least one primary support person (i.e., sponsor, mentor, friend, family, or pastor)
- Attend self-help meetings and/or groups
- The participant demonstrates sufficient insight into his/her treatment needs as evidenced by their explanation of insights and skills that they have acquired.
- Approval by the Veterans Court Team

You can advance to Phase III, if compliant with all Phase I and Phase II requirements, and you have been drug and alcohol free for a minimum of 90 days, and the Veterans Court Team approves your Veterans Court Phase III Transition Application. You will be assessed a fee to participate with consideration based on ability to pay. A payment plan will be implemented which will not prohibit program entry, phase advancement or graduation.

PHASE III

During this phase, you will demonstrate your ability to maintain stability and recovery.

Phase III Requirements:

- Continue to meet all Phase I and Phase II requirements
- Maintain and utilize support system
- Maintain stable housing
- Establish employment, education or volunteer opportunities (if applicable)
- The participant demonstrates sufficient insight into his/her treatment needs as evidenced by their explanation of insights and skills that they have acquired
- Approval by the Veterans Court Team

You can advance to Phase IV, if compliant with all Phase I, Phase II, and Phase III requirements, and you have been drug and alcohol free for at least 180 days, and the Veterans Court Team approves your Veterans Court Phase IV Transition Application.

PHASE IV

During this phase, you will maintain all previously achieved milestones from all prior phases and establish how you will continue your recovery beyond graduation

Phase IV Requirements:

- Continue to meet all Phase I, Phase II, and Phase III requirements

- Complete aftercare plan with therapist and any other treatment providers
- Complete an aftercare plan with your probation officer
- Maintain employment, continue attending school, and/or or volunteering (if applicable)
- Provide verification of your established primary support system
- The participant demonstrates sufficient insight into his/her treatment needs as evidenced by their explanation of insights and skills that they have acquired
- Approval for graduation by the Veterans Court Team

You can graduate from Veterans Court if compliant with all Phase I, Phase II, Phase III, and Phase IV requirements, and you have been drug and alcohol free for 180 days, and the Judge with input from the Veterans Court team approves your written application explaining why he or she would like to graduate.

GRADUATION REQUIREMENTS

To be considered for graduation, you must:

- Be in Veterans Court for a minimum of 12 months for a misdemeanor charge
- Be in Veterans Court for a minimum of 24 months for a felony charge (team discretion may be used to determine graduations outside the 12-24-month time frame)
- Comply with all Veterans Court conditions, bond conditions and directives of the Court
- Cooperate with the treatment plan, including but not limited to attending scheduled treatment/therapy/counseling sessions and taking psychotropic medications as prescribed
- Achieve treatment goals, which should be reasonable, achievable, and be based on an individual's abilities, needs and potential. Examples of treatment goals are managing symptoms, obtaining a high school equivalency certificate, attending college, obtaining or maintaining employment, becoming a peer leader, creating and maintaining a support system
- Have no new criminal offenses.
- If substance abuse or addiction is an identified risk factor and/or treatment concern, participants must have a minimum of 6 months of negative drug and/or alcohol tests
- Pay fines, costs, fees and restitution in full 60 days prior to graduation or develop a payment plan (a participant will not be prohibited from graduation for non-payment of fines, costs, fees and restitution)
- Demonstrate a willingness and motivation to continue with treatment and support after graduation to avoid symptom relapse and further criminal activity
- Have developed a recovery maintenance plan, a written plan for relapse prevention, and continued support in the community, including connection to support groups, if appropriate. The plan will be developed by you, your probation officer and the Veterans Justice Outreach Specialist.

Petitions for early graduation will be considered on a case-by-case basis if all the following have been completed:

- Be sanction free for six months prior to the graduation meeting, which is held one month prior to each graduation
- Pay fines, costs, fees and restitution in full 60 days prior to graduation or develop a payment plan (a participant will not be prohibited from graduation for non-payment of fines, costs, fees and restitution)
- Be compliant with all required treatment
- Have a recovery maintenance plan for treatment appointments, continued support in the community, including support groups offered by the VA or other community agencies. The plan

is developed collaboratively by the participant, the probation officer and Veterans Justice Outreach Specialist.

- Have negative substance screens for six months prior to the graduation meeting
- Bond will not be returned unless all restitution, fines, costs and fees are paid in full

Veterans Court graduations are held three times per year and are a way to share your accomplishments with your family and friends. The graduations allow the Veterans Court team to acknowledge each individual participant's achievements while in the program.

VETERANS COURT TERMINATION POLICIES

Termination can be triggered by a number of circumstances resulting in the Assistant State's Attorney filing a Petition to Terminate and Discharge the participant from Veterans Court.

UNSUCCESSFUL TERMINATION

You may be terminated from Veterans Court for any of the following reasons, which are not all inclusive:

- Are charged with a new offense
- Abscond from the program or fail to maintain contact with your probation officer
- Are habitually non-compliant
- Are habitually dishonest
- You continue to commit infractions despite prior graduated sanctions to address the infractions
- Have an active warrant for more than 45 days

A Petition to Terminate and Discharge a participant from Veterans Court shall be filed and the participant shall be served with the Petition to Terminate for any or a combination of the above circumstances. When a Petition to Terminate is filed for non-law violations, it is only after the participant has repeatedly failed to complete treatment or has failed to modify their behavior following repeated sanctions. The petition shall set forth the claimed violations of the Veterans Court program requirements or probation, together with the relief sought.

The State's Attorney shall request, and the Court shall conduct a hearing on the allegations contained in the Petition. The participant can also enter an admission and agree to the allegations contained in the Petition to Terminate. If the allegations are proven or admitted, the Judge will then sentence the participant on the original offense. Before accepting any admission to a Petition to Terminate, the Judge informs the participant in open court of the rights set forth in Supreme Court Rule 402 (A) and determining that the participant understands the following:

- (1) The specific allegations in the petition;
- (2) That the participant has the right to a hearing with defense counsel present, and the right to appointed counsel if the participant is indigent;
- (3) That at the hearing, the participant has the right to confront and cross-examine adverse witnesses and to present witnesses and evidence in his or her behalf;
- (4) That at the hearing, the State must prove the alleged violation by a preponderance of the evidence;

Sentencing options are determined based on the original offense(s).

NEUTRAL DISCHARGE

If a participant enters into a Veterans Court Plea and Contract and develops a significant medical issue or a medical issue has become more serious, or a life altering event occurs preventing that participant from fulfilling the obligations of Veterans Court, the team may discuss a neutral discharge. The team will review and discuss the participant's unique circumstances and with the Judge's approval the participant will receive a neutral discharge. Each of these circumstances is handled on a case by case basis.

VOLUNTARY WITHDRAWAL

After acceptance into the program, you may at any time file a Petition to Withdraw your participation from the Veterans Court program. Before granting the Petition to Withdraw, the judge admonishes you in open court of your right to consult with counsel and the consequences of withdrawal. The judge determines, on the record, that the withdrawal is knowing and voluntary. Upon review and granting of the petition, the judge will proceed with the case in the same manner as any other criminal case. The Veterans Court team must continue to comply with applicable relevant federal and state confidentiality statutes and regulations. Once the judge has reviewed the petition and allows you to withdrawal, you will be sentenced on the charges to which you had pleaded guilty.

CONFIDENTIALITY

Alcohol, drug, and mental health treatment records are protected by Code of Federal Regulations and HIPAA. You has the right to revoke any previous written consent to participate at any time except to the extent that action has been taken in reliance on such consent. In any event, this Consent to Participate expires upon the termination of all proceedings with regard to this cause of action.

OPPORTUNITY

Veterans Court offers you the opportunity to turn the negative, of being involved in the criminal justice system, into the positive, of having insight into your illness and a supportive network of people that are on your side. Depending on your situation, it may give you a chance to avoid a possible conviction on your record or it may keep you out of prison. The goal is to offer you the opportunity to address your individual issues and move forward in your life.

All members of the Veterans Court team want to see you succeed. If you take advantage of the assistance offered, you will discover many paths to a better life for yourself and your family.

TIPS ON HOW TO SUCCEED

Responsibility and accountability are two of the most important parts of Veterans Court. You will be responsible to follow through with all the requirements of Veterans Court. It is mandatory to meet with your doctor, your clinician, your probation officer, and to appear in court and be on time, unless your appearance has been waived.

- If you have difficulty remembering your appointments and court dates, use a calendar to write the appointments down

- Plan your schedule in advance for work, school and treatment
- If you are unable to make an appointment with your probation officer or cannot appear on your designated court date, **CALL BEFORE**, not after your appointment or court
- Plan; if transportation is a problem make a backup plan to get you where you need to be. Failure to have adequate transportation is not an excuse
- Keep all your paperwork, do not throw anything away
- Be **HONEST**, honesty is essential
- Take pride in who you are and where you are going

IMPORTANT INFORMATION

- The Veterans Court office is in the Probation Department in the annex of the courthouse and is open from 8:00 am to 4:30 pm, Monday through Friday
- It is your responsibility to contact your probation officer to reschedule an appointment
- If you call your probation officer and he or she is not available always leave your name and number; one message is sufficient
- You cannot change your residence without prior approval from your probation officer
- A court order is required for you to leave the State of Illinois. If you have a planned vacation or want to travel outside the state, let your probation officer know in advance so that you can obtain the Court’s permission and a written order prior to the date of your departure

VETERANS COURT CONTACT INFORMATION

Veterans Court is held every Friday at 9:00 am in Courtroom 4001 (unless otherwise noted). Courtroom 4001 is located at 505 North County Farm Road, 4th Floor, Wheaton, Il 60187

Veterans Court Office

503 North County Farm Road, Wheaton, Il 60187 (Located in the Probation Department)

Hines VA

5000 S 5th Ave, Hines, IL 60141

Veterans Court Team Members:

Judge:	The Honorable Paul A. Marchese	
Assistant State’s Attorney:	Jessica Sisler	(630) 407-8038
Assistant Public Defender:	Andrea Neumann	(630) 407-8340
Program Manager/Coordinator:	Bernadine McFarland	(630) 407-8448
Probation Supervisor:	Geneva Perkinson	(630) 407-8412
Veterans Justice Outreach Specialist:	Elizabeth Gallichio	(708) 202-5338
Senior Probation Officer:	Deena Kuranda	630-407-8450

Drug Testing Hotline # (630) 407-TEST (8378)

Veterans Crisis Line 1-800-273-8255



18TH JUDICIAL CIRCUIT COURT
DUPAGE COUNTY, ILLINOIS

Residential Eviction Mediation Program

Presenter: Kimberly Verest,

Alternative Dispute Resolution Administrator 18th Judicial Circuit Court

Purpose & Goal of Program

- Designed to help mitigate the surge of evictions resulting from the COVID-19 pandemic, and the ensuing economic fallout.
- Its chief goal is to assist tenants and landlords in avoiding eviction and pursuing mutually beneficial alternatives.
- The Program seeks to avoid exposing DuPage County families to homelessness during a serious health crisis, while also helping landlords mitigate losses during the extraordinary circumstances that have precipitated the need for this Program.
- The Eviction Mediation Program is designed to aid in the administration of justice by promotion of judicial efficiency.

Local Court Rules

18TH JUDICIAL
CIRCUIT COURT



Local Court Rules

- Residential Eviction Mediation Program is provided for in Article 14 Part 2 in our local court rules.
- Available to review in several places: on the court's website under Local Rules and in Administrative Order 21-19 (also on the Court's website).
- Starting September 20, 2021, Cases filed must provide notice of the Eviction Mediation Program. The Notice contains information on the program itself, referral phone numbers to services and the Illinois Court Based Rental Assistance Program as ordered by the Illinois Supreme Court M.R. 30370

Local Court Rules

18TH JUDICIAL
CIRCUIT COURT



What is Mediation?

- A confidential process that allows the parties to an eviction case to meet with a neutral third party to see if they can reach an agreement on their own.
- Pause to the litigation process; retaining decision making
- Connection to legal and housing resources if they haven't been connected already
- Mediators are paid for by grant money received by DuPage County and therefore we are able to provide Mediators to Tenants and Landlords at no cost.



Referral to Mediation, Legal & Housing Services

- Mediation is mandatory but at the Judge's discretion;
- At the first return date (or at the first court date the Judge has jurisdiction) and both tenant and landlord are present (over Zoom or in-person as our courtrooms are hybrid) the Judge at their discretion will order mediation to occur within the next 28 days.
- Mediation appointments will be ordered by the Judge with a court date after the mediation for status on the mediation. Based on the Judge's discretion, Mediation will *typically* be towards the end of the 28-day period to provide the parties with time to obtain legal advice and connect with Community Services on housing/rental assistance. Judge will schedule mediation based on their discretion.

18TH JUDICIAL
CIRCUIT COURT



Mediation Logistics

- Mediators will serve in 3-hour time shifts (Monday – Thursday 8:45 am – 11:45 am)
- Mediation will, for now, occur over Zoom. Mediators will get the Zoom link from www.18thjudicial.org
- Mediation Center located in Room 344 at the top of the 3rd Floor of the Court house on the left. Serves as an Eviction Help Desk. Staffed by Alyssa Fortino, Mediation Program Coordinator, 18th Judicial Circuit Court.
- Computers and Internet available for those who need access to a computer, internet and a confidential space to participate in their Mediation.
- The Zoom Mediation will be private and confidential, just like in-person mediations, participants and the Mediator must be in a private setting, the session cannot be recorded & Mediator cannot allow anyone into the Zoom room that is not allowed to be there.

Mediation Logistics

18TH JUDICIAL
CIRCUIT COURT



Currently . . .

- Mediations were first ordered October 4th with our first mediations occurring on Oct 20th
- 53 mediators so far have been approved. Training completed; soon Training will be available on demand online for those who are interested in becoming a Mediator but missed our September trainings.
- Receiving calls from individuals receiving summons, interested in mediating before being ordered, interested in learning more about receiving referrals to legal and housing services.
- Mediation Center located in Room 344 in the courthouse serves as an on-the-spot Help Desk for individuals in the courthouse with questions about Eviction Resources. Mediation Center Staff responds to calls and email questions as well.

18TH JUDICIAL
CIRCUIT COURT



Contact Us

Email: evictionmediation@18thjudicial.org

Phone: (630) 407-8807

18TH JUDICIAL
CIRCUIT COURT



Resources for Veterans

Veterans Assistance Commission

The VAC of DuPage is a distinct unit of local government created by State Law and funded by DuPage County. The VAC is an annual one-time emergency assistance program designed to help veterans that find themselves in need of financial assistance. The VAC is managed by a Board of Directors who are Veterans representing the various Veteran organizations in DuPage County.

- Mortgage or rent payments
- Utility payments
- Emergency medical prescription
- VA Medical Transportation needs
- Burial expenses
- Work or home related expenses
- Food/Family Essentials
- Auto Expenses

The VAC of DuPage also offers information and referral, location and retrieval of discharge documents, and other services for the Veteran Community.

Phone: 630-407-5655

Email: dupagevac@dupageco.org

Hours: Monday – Friday 8 a.m. - 12 p.m. 1 -4 p.m.

Supportive Services for Veteran Families (SSVF) Catholic Charities & MSHV

Supportive Services for Veteran Families (SSVF) is a rapid rehousing/homeless prevention program that assists eligible veterans who are literally homeless or imminently at risk of homelessness by helping them to stabilize their housing situations.

SSVF Temporary Financial Assistance may assist with rental assistance, security or utility deposits, utility assistance, moving costs, general housing stability.

Other services available include case management, vocational counseling, employment services, educational assistance, personal financial planning services, housing counseling and search, daily living services, linkage to the VA and other community services.

Basic eligibility:

- Active-duty Veteran or National Guard/Reserve Veteran with active-duty time outside of a training environment.
- Discharge status above a dishonorable discharge.
- Income at or below 50% of the Area Median Income for the County in which you reside.

- Single individuals or households are welcome.

HUD-VASH Vouchers

The HUD-Veterans Affairs Supportive Housing (VASH) program combines Housing Choice Voucher (HCV) rental assistance for homeless Veterans with case management and clinical services provided by the Department of Veterans Affairs (VA). The VA provides these services for participating Veterans at VA medical centers and community-based outreach clinics.

Basic eligibility:

- Be VA-health care eligible if not in the HUD-VASH Continuum program
- Meet the definition of homelessness as defined by the “McKinney Homeless Assistance Act” as amended by S. 896, the “Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009” (HEARTH Act), and
- Be in need of case management services for serious mental illness, substance use disorder or physical disability

Final spending legislation for fiscal year 2021, passed by Congress expanded eligibility for the HUD-VA Supportive Housing program (HUD-VASH) to include homeless veterans whose military discharge status had previously made them ineligible for these housing benefits – primarily “Other than Honorable” (OTH) status.

Hines VA - Health Care for Homeless Veterans (HCHV)

This program offers outreach, case management and residential treatment services to help Veterans transition from living on the street or in institutions to stable housing situations.

Operating out of many VAMCs nationwide, clinically trained providers locate Veterans who are living in precarious situations and connect them with VA bridge housing, health care and case management services that promote safe, stable living arrangements.

DuPage County Homeless Housing and Support Services for Veterans

DuPage Veterans Assistance Commission

<https://www.dupageco.org/vac/>

Midwest Shelter for Homeless Veterans

<https://www.helpaveteran.org/>

Hines VA Homeless Services and Coordinated Entry Referral

<https://www.hines.va.gov/services/homeless/>

Catholic Charities

<https://catholiccharitiesjoliet.org/tag/dupage-county/>

DuPagePads

<https://dupagepads.org/>



Midwest Shelter for Homeless Veterans

No Hero Left Behind

The Midwest Shelter for Homeless Veterans is a non-profit agency that provides housing, supportive services and community outreach to help homeless and at-risk veterans and their families achieve self-sufficiency. Founded in 2007, by Vietnam War veteran Bob Adams and Gulf War veteran Dirk Enger, MSHV operates on a vision of no veteran left behind due to homelessness, joblessness, poverty and/or mental health issues.

Services

Affordable Housing

The Midwest Shelter's **Army SSgt. Robert Miller Home** and **Tammy's Trace** provide affordable housing to low-income, single male and female veterans, respectively. The Miller Home includes one unit that is ADA accessible. Veterans must meet income guidelines, have stable income needed to consistently pay rent, and agree to maintain a sober lifestyle while a resident. Available supportive services to assist veterans with improving their overall quality of life include case management, assistance with obtaining mainstream and veteran benefits, and referrals to veteran-specific and community resources.

GPD Case Management

The **GPD Case Management Program** serves veterans who are in permanent housing after being literally homeless or are at risk of homelessness. Services provided: case management (e.g., assistance with budgeting, obtaining SNAP/Medicaid, obtaining medical care/mental health); connections with resources and referrals to maintain stability and gain self-sufficiency.

Veterans are assisted with case management services to successfully transition into housing after a period of homelessness, or maintain their housing after becoming at-risk of losing it. At discharge, veterans are able to maintain stable housing.

Freedom Commissary

The **Army Capt. Kevin C. Landeck Freedom Commissary** is located in downtown Wheaton. Freedom Commissary is a program designed to meet the clothing, household, and basic needs of veterans and their families. The Freedom Commissary serves veterans of all eras and branches, and eligibility is based on need. Veterans are able to access the Commissary for items such as:

- Household goods
- Hygiene products
- Cleaning products
- Paper goods
- Small Scale Furniture
- Small Kitchen Appliances

The Freedom Commissary program operates almost entirely through the generous contributions of our volunteers and donors. **Please always check out our most recent list of items needed here:** [Download the list and feel free to share.](#)

For more information, contact 630-871-8387 ext 617 or freedomcommissary@mshv.org.

Permanent Supportive Housing

Freedom Harbour and **Enduring Hope** are the Midwest Shelter for Homeless Veterans' scattered-site **Permanent Supportive Housing programs** for chronically homeless veterans. Veterans are housed in one-bedroom apartments in the local community. To be eligible for this program, a veteran must be able to demonstrate that he/she has experienced four or more episodes of homelessness in the last three years or has been continuously homeless for a year or longer. Veterans must also demonstrate a disabling condition. MSHV staff travel to the client's location and provide intensive case management services designed to help these veterans stabilize and maintain housing.

Support Services for Veteran Families

Supportive Services for Veteran Families is a homeless prevention and rapid re-housing program for low-income veterans and their families, who are homeless or who are at imminent risk of becoming homeless. Through SSVF, which is funded by the U.S. Dept. of

Veterans Affairs, the Midwest Shelter for Homeless Veterans provides veterans and their families with intensive, short-term case management, housing stabilization services, linkages to VA and mainstream benefits, and temporary financial assistance, based on eligibility. MSHV offers SSVF across seven northern Illinois counties: DeKalb, DuPage, Grundy, Kane, Kendall, LaSalle, and Will.

For more information, contact the SSVF Staff at 630-871-8387 x610 or email intake@mshv.org

Transitional Housing

MSHV's **Marine LCpl Nicholas Larson Home** provides qualified male homeless veterans of any era with transitional housing and supportive services, including case management, financial literacy classes, nutrition workshops, life skills education, employment services, and transportation assistance. To qualify, veterans must have one day of active duty service and a greater than dishonorable discharge. They must either have a permanent housing intervention in place or have a mental health/ substance use diagnosis. Veterans must pass a background check and have no convictions for sex-related crimes and no violent convictions for the past five years.

Veteran Employment Program

MSHV's **Veteran Employment Program** assists unemployed and under-employed veterans with gaining meaningful, long-term employment. Services focus on providing veterans with the tools and resources they need to overcome employment barriers, including comprehensive individualized assessment, resume and job readiness development, vocational counseling, and job placement assistance.



Freedom Commissary Wish List

We are now accepting new winter clothing for our veterans. This includes new winter coats of all sizes, both men's and women's, new scarves, new gloves, new hats and new long-johns. Unfortunately, we are not accepting used clothing. All items in **red** are desperately needed for our veterans. If you can help in anyway, we greatly appreciate it. Thank you!

Current Needs

(RED=Almost out of)

Clothing

- *New Winter Coats, Men's and Women's All Sizes*
- *New Winter Hats, Scarves, Gloves*
- Men's Underwear, L, XL, 2X & 3X

Household

- Coffee Makers (New Please)
- *Toasters*
- Paper Plates (Regular Size Please)
- *Paper Towels*
- *Toilet Tissue*
- *Aluminum Foil*
- *Plastic Wrap*

Cleaning Supplies

- *Liquid Laundry Soap (Standard Size Please)*
- *Dish Soap*
- *Glass Cleaner*
- *Disinfectant Spray (Lysol)*
- *All Purpose Cleaning Spray, e.g. Spic-N-Span, Formula 409*
- *All Purpose Cleaner e.g., Mr. Clean, Fabuloso (Standard Size Please)*

Personal Care items

- **Shampoo**/Conditioner
- Body Wash (Men's and Women's)

Bedding

- Comforters Sets (F & Q)
- Pillows

Gift Cards

- *Gas*
- *Grocery Stores*
- *Stamps*

Bathroom

- *Toilet Bowl Cleaner*

Kitchen

- Towel Sets
- Oven Mitt Sets
- *Flatware Sets for Four*
- *13 Gallon Garbage Bags*
- *Brooms*
- *Mops*

For ease of shopping, also look for our Wish List at: <https://a.co/b3ifTXn>

When dropping off your donated items, please consider a financial donation designated for the Freedom Commissary to help cover operational costs, allowing us to continue providing household & personal items free of charge to Veterans and their families. Thank you!

M.S.H.V.

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