

Civil Legal Aid for Older Adults



Line Item 0321-1600

Legal aid lawyers play a crucial role in protecting the health, safety, and financial stability of older residents of the Commonwealth. The number people over 65 living in poverty in Massachusetts rose from 93,961 in 2018 to 106,747 in 2021. This group now makes up 16% of the impoverished population.

Civil legal aid is a lifeline, helping older adults throughout the Commonwealth who are facing challenges that impact their most essential needs, including:

- Housing and physical safety
- Access to health care, disability benefits, Medicare, Social Security, veterans benefits, and other public benefits
- Bankruptcy, financial abuse, and other consumer law challenges
- Guardianship, care of children and grandchildren, and other family law issues
- Durable powers of attorney and health care proxies
- Nursing home issues, including conditions, transfer, and discharge

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People and families with incomes at or below 125% of the federal poverty level (\$37,500 per year for a family of four; \$18,225 for an individual) qualify for civil legal aid.

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\$126 million

in economic benefits provided by legal aid to the Commonwealth and its residents last year, including more than \$4 million in health benefits and savings and nearly \$20 million in emergency shelter savings.

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According to the most recent U.S. Census data, people over 65 are the only age segment that experienced an increase in poverty between 2020 and 2021.

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In FY22:

22% of cases closed by Massachusetts legal aid organizations were for clients age 60 or older (a total of 5,110 cases).



Paul* was staying at a nursing home while recovering from a major health event. When staff there believed his health had improved, they sought to discharge him to a local hotel. There, Paul would have been charged nearly triple his monthly income to stay for a month at the hotel, at which point he would have to seek housing elsewhere. Paul was worried because he was dependent on an oxygen machine and he knew local shelters would not accept people in this condition.

An attorney from **Community Legal Aid** represented Paul in his discharge appeal. She was successful: the hearing officer concluded Paul was not cleared to leave the facility, allowing him to remain safely at the nursing home until a more permanent housing placement could be secured. His attorney then helped him find an apartment in a subsidized residence for older adults, and even got him connected with financial assistance for moving-related costs.

*Name changed for privacy