

Alcohol & Chemical
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Vocational Services





15. Legal/Advocacy Services

This chapter involves legal or advocacy services that are available for people with TBI. It includes legal or advocacy organizations as well as lawyers that work with disability issues and/or with people with TBI.

Choosing a lawyer can be a difficult task. One who has experience working with people with TBI can be crucial to success, for that lawyer will know about the common problems that those with TBI face. Doctors and other health care professionals who are familiar with TBI can be great sources of legal referrals. Your local brain injury organization (in California, that is the Brain Injury Policy Institute of California) or support group members may also have good referrals. Once you have a list, shop around. Gather a list of pertinent questions (with space for their answers) on a piece of paper, copy it, and call (or visit) those on the list and ask your questions. Write down their answers and also your general impression of the lawyer. Take someone with you that you trust and ask about their experience with clients with TBI. Ask for references from previous clients and health care professionals who have worked with the lawyer. Ask how much they charge. Your new lawyer should want to interview the person with TBI's family, friends, employer and the professionals involved. A private investigator may be hired. Experts may be hired to testify on your behalf. An accountant may be hired to evaluate lost earnings. Your lawyer should be spending much time preparing you for your testimony and your examinations. Ask your lawyer if you may bring notes to every part of the process, as a cue to your (and/or the person with TBI's) memory. If your case goes to court, insist that your lawyer review his questions, the opposing side's potential questions, and your answers thoroughly. It's worth all the extra time involved to get these details handled properly.

Again, a listing in this chapter does not necessarily mean that we endorse or approve the organization or practitioner.

Adult Protective Services

408/928-3860

591 North King Road

San Jose, CA 95133

- Advocates for dependent adults and the elderly (over 65).
- Abuse reporting agency with no case management; after 90 days they call case manager and law enforcement. They may talk to family or sit in on interview.

Alliance For Community Care

408/261-7777

2001 The Alameda

San Jose, CA 95126

- Clients must be diagnosed with a mental illness.
- Provide case management, vocational assistance, housing, and day rehab programs.

15. Legal/Advocacy Services

Allsup, Inc.

800/854-1418

300 Allsup Place

Belleville, IL 62223

Website: <www.allsupinc.com>

- This company represents disability claimants at appeals.

American Civil Liberties Union

415/621-2488

1663 Mission St.

San Francisco, CA 94103

- Advice line manned by volunteers (civil liberty issues).

Asian Law Alliance

408/287-9710

184 East Jackson Street

San Jose, CA 95112

Website: <www.asianlawalliance-ala.org>

- They offer free legal advice to people of any nationality in Santa Clara County.
- They also offer legal representation for immigration, housing, domestic violence, and public benefits issues for limited- or non-English speaking people.
- They have translation services, as available, for people who speak Vietnamese, Cantonese, Mandarin, Laotian, Korean, and Japanese.

Brain Injury Law Office

800/992-9447

P.O. Box 1319

Sheboygan, WI 53082

Email: johnson@tbilaw.com

Website: <www.tbilaw.com/home.html>

- This Web site includes links to a brain injury calendar and information on social security, workers compensation, resources, the Brain Injury Association, support groups, and many legal issues.

California Rural Legal Assistance (Legal Aid)

408/847-1408

7365 Monterey Road

Gilroy, CA 95020

Website: <www.crla.org>

- Assistance with landlord/tenant issues, wage claims, unemployment, and state disability.
- 20 branches throughout California.

15. Legal/Advocacy Services

Catholic Charities Immigration Program

408/944-0691

FAX: 408/944-0347

2625 Zanker Road, Suite 201

San Jose, CA 95134

Website: <www.ccsj.org>

- Persons wishing to take part in this program, must be on site at 8am. First come, first served.

Central Coast Center For Independent Living (CCCIL)

Voice/TDD: 831/462-8720

1395 41st Avenue, Suite B

Capitola, CA 95010

Website: <www.cccil.org>

Voice/TDD: 831/757-2968

234 Capitol Street, Suite A&B

Salinas, CA 93901

Website: <www.cccil.org>

- Information and referral.
- Advocacy.
- Benefit counseling.
- Housing information.
- Support groups.

Deaf Counseling Advocacy & Referral Agency (DCARA)

510/483-0753 TTY

Call 800/735-2922 for voice translation of TTY

1539 Webster

Oakland, CA 94612

- Advocacy and legal services.

Friends Outside

408/295-6033

551 Stockton Avenue

San Jose, CA 95126

- This organization helps with people who are in jail or prison.

15. Legal/Advocacy Services

Gilfix & La Poll Associates

650/493-8070

2300 Geng Road, Suite 203

Palo Alto, CA 94303

Website: <www.gilfix.com>

- Elder law.
- Living trusts.

Harvey A. Hyman

510/272-0655

FAX: 510/272-0657

180 Grand Avenue, Suite 935

Oakland, CA 94612

Website: <www.californiaheadinjurylaw.com>

- This attorney specifically represents clients with TBI.

Independent Living Resource Center Of San Francisco

415/543-6222

TDD: 415/543-6698

FAX: 415/543-6318

649 Mission Street, 3rd Floor

San Francisco, CA 94105

- Advocacy/Human Rights; Lawyer referrals.
- Serves San Francisco residents.
- Attendant referral.
- Housing information.
- Benefits counseling.
- Peer counseling and support groups.
- ADA discrimination.

Kato And Suzuki

415/974-5715

685 Market Street, Suite 490

San Francisco, CA 94105

- General civil practice with a focus on the legal problems of people that are elderly or disabled.

15. Legal/Advocacy Services

La Raza Centro Legal

415/575-3500

FAX: 415/255-7593

474 Valencia Street, Suite 295

San Francisco, CA 94103

- Referrals and free legal service for low-income persons.
- Spanish-speaking.

Steven Levy

408/274-7000

7670 Woodland Avenue

Morgan Hill, CA 95037

- Specializes in injury cases.
- Financial management.
- Benefits coordination.
- Special Needs trusts.
- Insurance disputes.

Legal Aid Society Of Santa Clara County

408/998-5200

480 North First Street, San Jose, CA 95112

P.O. Box 103, San Jose, CA 95103-0103

Website: <www.legalaidsociety.org>

- Tenant/landlord disputes.
- Housing discrimination.
- Immigration assistance.
- Family law.
- Employment law.
- Special education.
- Conflicts Program - Legal aid to those referred by the courts.

Robert Ludlow, Esq.

831/475-5592

365 Lake Avenue

P.O. Box 1184

Santa Cruz, CA 95061

- This lawyer has a specialized interest in TBI.

15. Legal/Advocacy Services

David Malnick

408/292-5900

160 West Santa Clara Street, Suite 1100

San Jose, CA 95113

Website: <www.malnick.law>

- Specializes in traumatic brain injury legal cases.

Mental Health Advocacy Project

408/294-9730

FAX 408/293-0106

111 W. St. John Street, Suite 315

San Jose, CA 95113

Email: mhap@lawfoundation.org

- Free legal services for people who have a mental or developmental disability.

Pacific ADA and IT Center

Voice/TDD: 800/949-4232

2168 Shattuck Avenue, Suite 301

Oakland, CA 94704

Website: <www.pacdbtac.org>

- Americans with Disabilities Act (ADA) information line.

Protection And Advocacy

510/430-8033

800/776-5746

FAX: 510/430-8246

433 Hegenberger Road

Oakland, CA 94621

- Legal assistance for people with a developmental disability (for TBI, injury must have occurred before age 22) and mental health consumers (must have a mental illness or emotional impairment and/or have been released in the last 90 days from a mental health facility).

Redwood Caregiver Resource Center

707/542-0282

FAX: 707/542-0552

141 Stony Circle, Suite 200

Santa Rosa, CA 95401

- A state funded agency that offers counseling, respite care, and legal aid to caregivers of brain injured adults.

15. Legal/Advocacy Services

San Andreas Regional Center

408/374-9960

300 Orchard City Drive, #170

Campbell, CA 95008

Website: <www.sarc.org>

- Advocacy/human rights; lawyer referral.
- Has experience with TBI.

San Mateo County Aging & Adult Services

800/675-8437

225 West 37th Avenue

San Mateo, CA 94403

- Adult protective services.
- Public guardians.
- In-home support.
- Case management.

Scarlett Law Group

800/262-7576

FAX: 415/352-6265

536 Pacific Avenue, Barbary Coast Building

San Francisco, CA 94133

Website: <www.scarlettlawgroup.com>

- National trial lawyers with extensive experience with TBI-related cases.

Schneider and Wallace Attorneys at Law

415/440-3440

180 Montgomery Street, Suite 2000

San Francisco, CA 94104

- Civil litigation with an emphasis on disability rights work.
- Ask for Social Worker/Advocacy Worker on duty.
- Assists disabled General Assistance clients to access Social Security system.

Shea and Shea: A Professional Law Corporation

408/292-2434

888/989-7432

FAX: 408/292-1264

255 N. Market Street

San Jose, CA 95110

- Trial lawyers experienced with TBI and spinal cord injury (SCI) cases.

15. Legal/Advocacy Services

U.S. Department of Justice

Civil Rights Division

800/514-0301 (voice)

800/514-0383 (TTY)

950 Pennsylvania Ave NW

Disability Rights Section NYAV

Washington, DC 20530

Website: <www.ada.gov>

- ADA information line available 24 hours a day.

- ADA publications available.

Angelina Valle

408/881-0200

(from out of area) 800/303-7142

FAX: 408/881-0208

1671 The Alameda, Suite 302

San Jose, CA 95126

- Ms. Valle has served several persons with TBI with disability benefits issues.

Victim Witness Assistance Program

408/295-2656

777 North First Street, Suite 200

San Jose, CA 95112

- Referral and financial assistance for counseling and therapy.

- May also help pay for medical bills and prescriptions.

Victims Of Crime Resource Center

800/842-8467

University of the Pacific

McGeorge School of Law

3200 5th Avenue

Sacramento, CA 95817

- Legal referrals and information to victims of crime and referrals to local Victim Witness Assistance Offices for compensation under the Victims of Crime Act.

Winslow & Hurtubise

415/621-2131

FAX: 415/553-8015

230 Noe Street

San Francisco, CA 94114

- This firm has an interest in and experience with TBI litigation.