

[ The Pointer Sisters' "Yes We Can Can" plays ]  
>> We got to iron out our problems and iron out our quarrels and try to live as brothers.  
And try to find peace within without stepping on one another.  
And do respect the women of the world.  
Remember you all have mothers.  
We got to make this land a better land than the world in which we live.  
And we got to help each man be a better man with the kindness that we give.  
>> Good morning.  
Good morning, Virgin Islands.  
You are listening this morning to "Ability Radio -- You and Your Life."  
I am your co-host,  
Amelia Headley LaMont,  
and I'm joined this morning by my co-host Iris Bermudez.  
Good morning, Iris.  
>> Good morning. Hi.  
>> How are you?  
>> Fine now.  
[ Laughs ]  
>> Yeah, right. Fine now.  
We have a very special guest joining us this morning who is the Director of -- I don't know if I dare say alma mater?  
That doesn't make sense.  
But in any event, one of my favorite organizations that's done amazing work in the US Virgin Islands for a number of years, Legal Services of the Virgin Islands.  
And we have the privilege today of speaking with the present Executive Director and CEO of Legal Services of the Virgin Islands, Shelby Gaddy.  
Good morning.  
How are you, Attorney Gaddy?  
>> Good morning.  
[ Laughter ]  
>> All's well?

>> All is well.

>> [ Laughs ] Okay.

This program is brought to you by the Disability Rights Center of the Virgin Islands.

It also, in the past, has been brought to you by VI Lottery -- making a difference.

Purpose of this show is to bring the community information about entities that is providing support and information to the members of our community, and our particular focus is, of course, on the disability community.

This is a live show, and if you are so inclined, you are welcome to call in at 713-1079

or 779-1079.

And if you miss any aspect of this broadcast, this show will be recorded and posted on our website, which is located at DRCVI.org.

And it will also be transcribed, so that's another way in which, if you don't want to sit and listen to a broadcast, you can certainly read what you've learned about today.

So, Iris, you have some questions?

>> I do.

[ Chuckles ]

First of all, thank you, Attorney Gaddy, for coming here and being with us today.

We know you have a very heavy schedule, taking over the agency and everything that you have to do.

That must be awesome, very challenging to you.

But then again, you're good at this, so you know what you've got to do.

[ Chuckles ]

>> I like the confidence.

>> [ Laughs ]

>> I like the confidence.

>> No, but we're really pleased that you're here.

And one of the things we want

you to start off with for our listening audience is to talk about you, how you got here, how you got to this very prestigious position...

>> Oh, wow.

>> ...to defend our people in the Virgin Islands, or to assist them.

We know you've been at it for a while.

So, that, we know.

[ Laughs ]

>> Well, wow.

I don't even know where to begin.

I came to St. Croix in 2006, and I actually came to St. Croix determined to be an educator, and to go back into the field of academia.

And I started the Hospitality Training Institute for Sojourner-Douglass College.

It's a small...

>> Yes.

>> ...college out of Baltimore City.

And I did that for a few years, and the former Executive Director somehow discovered that I was an attorney.

And upon finding out, had asked if I could come to Legal Services to help out, and it was just kind of a casual -- you know, a little something.

And that little something turned into a full-time something, and turned into a staff-attorney position, and, in 2014, to a managing-attorney position.

And here I am in 2018, the Executive Director.

That's who I am.

I do a number of things.

I've been involved quite a bit in the community, because that's, again, part of who I am.

And Legal Services was really just a natural part of -- just an extension of who I am and what I like to do, and how it is that I like to help persons that

are in need of assistance.  
And that's always been my goal,  
from the time I was a small  
child.  
Whatever it was I was gonna do  
in life, it was gonna be helping  
people.  
And so this was --  
>> But, you know, you said  
something that I tell a lot of  
students, when interact with  
some of the students, and what  
you said was, you were  
approached by Attorney Austin.  
>> That's correct.  
>> And this is what I like to  
tell people, that, "Do your job,  
and do it to the best of your  
ability, because you don't  
know who's watching you, and  
who's gonna be interested in  
hiring you."  
And it bears fruit, 'cause  
that's what happened to me, too,  
throughout my career.  
I'm not an attorney, but it just  
took me back when you made that  
comment, because you don't know  
who's watching you, and you  
don't know who's interested in  
helping you go up.  
>> And you just never know.  
>> You never know.  
>> I don't think there are any  
coincidences.  
I think everything happens at  
the right time for the right  
reasons.  
>> Yes. Yes.  
So, what are you goals for the  
agency now that you're in that  
position?  
>> Well, my goals are relative  
to taking the agency to another  
level.  
>> Good.  
>> Using technology, using a  
variety of resources,  
diversifying our resources, and  
diversifying the types of things  
that we do.  
We obviously will never get away  
from the core business that we  
have a mission to accomplish.

And with that, though, and the changing times, everybody has a cellphone.

We want to be able to accommodate the needs of our constituents, our clients, by using technology that they're familiar with, and offer them services on an efficient, effective basis.

>> Okay.

So, could you explain a little bit about that?

Will they be able to apply for your services?

>> Absolutely.

What we've done is --

You know, the hurricane brought about a lot of things, and one of the things we discovered is that we don't have the ability to service people if they can't get to us or we can't get to them, or they don't have any communication and they don't have electricity, and how can we provide services?

So one of the things that we have been afforded a great opportunity to do, and that is, we applied for a grant, and we were successful, and it will allow us to upgrade, if you will -- it's almost radical, the technology that we are looking to bring to the provision of the services to our clients.

And what that will allow us to do is things like use satellite phones, to have vehicles that will have generators on the back of them, and we would be able to go out to reach the community where they couldn't come to us.

>> Wow.

>> We will be able to do some of those things not even just after a hurricane, but ongoing.

We want to take Legal Services on the road, if you will, and we will take them out to the community, set up spots, and be able to have people come and be served right there in the

community.

We've just begun to work on the systems that will allow people to contact us through their cellphone.

We can send them a text message back to remind them of their appointments so we don't have a lot of missed appointments. They would be able to sit in our lobby with a small tablet screen and do a touch -- the way they do in some doctor's offices, touch screen to set up their intake, and therefore they wouldn't have to use a paper. We're trying to get away from paper.

>> Oh, wow.

>> And that will allow us to provide them services because we've got the information automatically into our computers, and then we're able to produce whatever it is the services require.

The other thing we want to do is, we want to integrate and provide other attorneys in our community an opportunity to provide pro bono services, where they'd be able to do it fairly easily so that they wouldn't shy away from it, but that they would be able to integrate into our system, come in, and we would have some form documents that they would be able to use, and it would increase the amount of attorneys providing services. So we could give them a heads up in doing some of that, as well.

>> That's interesting.

>> So what we want to do is, we want to have services provided anytime, anywhere.

>> Wow.

>> That's kind of my motto now.

>> I'm impressed.

When I was a Legal Services attorney -- this was, whew! back in 1982 -- we were using stone tablets.

And, of course, that's a bit of

an exaggeration.

But this is fabulous to hear,  
quite honestly.

>> You're not kidding.

>> After we return from our  
break, I'd like to hear more  
about who is eligible for such  
services, okay?

We're gonna take a quick break,  
and we'll be right back.

[ The Pointer Sisters' "Yes  
We Can Can" plays ]

>> Now's the time for all good  
men to get together with one  
another.

We got to iron out our  
problems and iron out our  
quarrels and try to live as  
brothers.

And try to find peace within...

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And do respect the women of the  
world.

>> We're back.

You're listening to "Ability  
Radio -- You and Your Life".  
I'm your co-host Amelia Headley  
LaMont from the Disability  
Rights Center of the Virgin  
Islands, joined this morning by  
my co-host, Iris Bermudez, and  
our special guest is Shelby  
Gaddy, Attorney Shelby Gaddy,  
who is the Executive Director of  
Legal Services of the Virgin  
Islands.

Well, before we took our break,  
you mentioned some very  
interesting, innovative ways of  
advocacy in the community that  
I'm really excited about, and  
commend the work that you're  
doing in that regard, and would  
love to hear when that starts.

But not everyone is eligible for this.

[ Chuckles ]

So if we can clarify, if you can let us know who is eligible, what your priorities -- not you personally, but the priorities of Legal Services of the Virgin Islands, just for everyone's benefit, that would be helpful.  
>> Okay.

Legal Services, because we're funded by a number of grants, our clientele or those persons who are eligible for our services fall within a certain income level, and that income level is for the household. And it's eligibility criteria that we look at.

It's not really a scientific formula, but there is a formula that involves the federal poverty guidelines, and it's based on the number of persons in the household.

There are some circumstances whereby some of our clients meet other special criteria that allow us to provide services, such as victims of domestic violence.

We aren't as much concerned with their income at that point, because we're providing a specialized service for them.

With respect to some of the elderly, we have, in the past, provided services to those persons who are 60 and over. But again, because that's not a scientific approach, we also can look at things like their assets and their income so that if in fact they are able to obtain counsel, private counsel, then we're not necessarily obligated and take them as clients.

However, with respect to things that are, I'm gonna say life necessities -- if you've got a senior who has a need for a power of attorney, obviously, if they're hospitalized or

something like that, that's a service that they need, because they need someone to handle their business affairs.

It's not very complicated, and we don't tend to have an issue even with the income levels doing powers of attorney.

We do a number of wills.

We do guardianships.

And so during the post-hurricane time, we were doing those things without regard to income because they were needs that people had, and they needed to get them done very quickly.

We do foreclosures, and at one point we were able to help people preserve their homes. But foreclosure really means your primary place of residence. We're not looking to do foreclosures on -- I'm gonna call it a luxury pleasure property...

>> Yeah.

>> ...or foreclosures in that regard.

But, truly, we look to provide the needs of people so that they may continue their primary place of residence, they may continue to have an income source so that they can feed their families, and they can provide for themselves.

We look to do those things that I'm gonna call life necessity, where legal needs come into prohibiting or being an obstacle to you having the life necessities.

So, while we have some criteria, we also look to do the kinds of services that are truly those for persons who are either impoverished, or they are vulnerable members of our society, or they simply have those emergency needs.

Oftentimes we do things on an emergency basis.

It's not something we'll do all the time, but when an emergency

comes up -- and we can't really predict what that is -- we will assist persons.

Because our position is to help the underprivileged, the underrepresented, and those persons who otherwise could not have access to legal counsel.

>> Hm.

That's interesting.

Let's think post-hurricane.

What would you say are the most prevalent, or the top three priorities that you've been handling since the hurricane?

I know everybody's been involved with recovery, but I also know that there are a lot of issues that have surfaced.

And this is why we have you here today, to explain what to do, how to do it, and go through.

>> The needs changed based upon the proximity to post-hurricane.

>> Okay.

>> Immediately, there were a lot of landlord/tenant issues.

>> Oh, okay.

>> People didn't know whether they were gonna be able to keep their place to live, and even if they could keep their place to live, were they gonna be required to pay rent when they needed the money to do some other things that were important for survival?

Food was important for survival. And we did a lot with persons who had damages to their homes, and having to prove ownership for your home.

That was a big thing that we worked a lot on.

And being able to get some type of assistance to provide for food, and for a place to live. There were a lot of people who had to evacuate, and if they were taking children off the island, they needed the types of documents so that they were properly authorized to take a child that wasn't necessarily

their child off the island.

>> Right.

>> We had some emergency custody matters, again, because people were taking children off the island, and you have to have documentation because there's a big problem with AMBER alerts. And we had a number of guardianships, powers of attorney, those types of things were immediately post-hurricane.

We still have a lot of landlord/tenant issues.

We still have some persons in different places in the territory are still dealing with trying to prove ownership so that they can get assistance. You know, we still have a lot of FEMA people still here on the island, and even though there were deadlines for filing, some people are still in a position where they've still got to prove -- if there were private entities or nonprofits that came in to provide assistance, they still want to see proof of ownership.

>> Right.

>> Just like FEMA did.

There's a rise in domestic violence whenever there's trauma in the lives of persons that are -- just because of social issues, domestic violence is on the rise, so we still do a lot of that.

We haven't seen the contractor-fraud disputes that we expected thus far, but that very well may be coming.

With respect to succession planning, that has always been something we did quite a bit of, with wills, deeds of gift.

We don't have as much of that.

We do have some, because persons are now feeling their mortality, and recognizing that what happened after the hurricane was that, property that should have

been passed on in succession was not done.

And so persons whose grandmother lived in that property, owned that property, and they lived there all their lives, they don't have proper documentation, so that when the property was damaged, they weren't able to get the assistance that they required to fix the property and make it livable again.

>> That's sad.

>> So, those are the types of things we do.

But we do still handle a fair amount of employment issues.

>> Mm-hmm.

>> As you know, a lot of persons became unemployed because businesses left, and so they were in need of unemployment. But there were also persons who were let go from their positions, and they needed to get unemployment.

Unemployment wasn't the biggest issues.

Wrongful discharge probably was more of the issue.

So, we still handle a fair amount of those.

But our focus is always -- and I can't categorize everything we've done, but everything, I think, falls into maintaining the necessities of life.

>> Going back to rentals, 'cause I know that was a big issue post-hurricane, what were some of the reasons?

Because I thought that, after a storm like that, the owners were allowed to -- what is it? -- forego rent for about three months?

Or that's not something that they were able to do?

>> They weren't required to.

>> They weren't required to do that.

Oh, okay. Okay.

>> They weren't required to.

>> Okay, okay, okay.

>> And so there were a number of -- especially the private landlords were pretty adamant about receiving their rent even though their properties may not have been habitable.

>> Oh, okay.

>> And so we had to deal with a lot of those issues.

>> Wow.

>> Persons were trying to make due as best they could...

>> Yeah.

>> ...to live in the properties. Or if they were evacuated, they were told that their lease was terminated. And they may have only evacuated for a month, and they were told that their lease was terminated.

>> Oh, wow.

Yeah, that's interesting. That's interesting. One of the things that we were thinking about was economic development. When Attorney Austin was here, he talked quite a bit about the need for economic development. Do you kind of see that as something that you're gonna be looking at, as well?

>> There still is a need for -- We don't have the jobs available. And we do need to have places for people to work so that they can become self-sufficient.

>> Mm-hmm.

>> And economic development, I think, takes a couple of different routes. It's not only companies coming here to bring employment or opportunities for employment, but it's also, as a community, us developing a way to become self-sufficient by creating our own economic opportunities. And there's quite a bit of that in the territory. So, how Legal Services plays a part in that, I have quite a few ideas.

I'm not certain at this point how we will bring them to fruition based on us being in a recovery stage.

>> Yeah.

>> But some of the ideas are with respect to some of the public housing.

>> Mm.

>> There used to be a time in public housing or subsidized housing where persons were able to ultimately become owners, or they would create, I'm gonna call them -- almost a consortium.

I don't want to give it a proper legal name, because it could take a number of different forms.

But they would come together almost like an association, and they would create opportunities for having a store in the community, or having some type of means to provide for food for those who didn't otherwise have food, or they would create landscaping opportunities or rebuilding opportunities so that if some of the properties were damaged or some of the properties need maintenance, the persons that would be hired or the person that would do that work would live right there in the community.

And I know you're probably thinking, "Well, that sounds like a co-op."

>> Mm-hmm.

>> Yes, it does, but I'm not certain that that's the only formation it can take.

>> Okay.

>> Based on some of the things that I've seen in other jurisdictions, there are some opportunities for us to do some of that.

>> Oh, that would be great.

>> There was a movement -- and if my recollection serves me right, Williams Delight was a

location for home ownership, or it was at least identified by Legal Services as a place to at least begin, since the setup was that you had individual structures.

Any idea where we are on that?

>> But the home ownership didn't necessarily take the form of a homeowners' association.

>> Mm-hmm.

>> Which is really kind of what I'm talking about in terms of the persons who were living in the community becoming part of an organization.

If you're vested in something, you'll make it work a lot better for all the persons involved that are residents.

And home ownership is still going on in Williams Delight. There were some properties that the Housing Authority had identified for persons to purchase, and then they qualified, and they were able to purchase their properties.

I don't think it moved as quickly as expected.

But, again, that was home ownership, so that if you own the property, you're vested in the community, things should improve.

But it didn't necessarily create the economic development, that piece of it.

I don't think that that's off, though.

I don't think it's something that's off the table, or that couldn't happen.

It just wasn't part of what we've understood was the plan thus far.

>> Yeah.

Because even during the campaign, you heard a lot of the individuals that were running for office talk about farmers, and all these small businesses, and what they're gonna do to help them become a part of that

economic development.

So would you play a role in some of that, in Legal Services, especially if they're people that are just starting off and need help?

>> Our position has been, in the past -- and I don't know that we have changed it thus far, because, again, we consider ourselves an agency that deals with critical needs, immediate needs.

But with respect to the small businesses, we have typically done nonprofit associations where the persons who are members of the association are members of the entity would otherwise be eligible to be our clients, and that's why we look to do things in a public-housing type environment, where you've got a tenants' council that might become the co-op, because those are persons who otherwise would be eligible to be our clients.

>> Uh-huh.

>> So, we haven't moved from that thus far.

>> Okay.

Okay.

That's interesting to me.

>> It makes a whole lot of sense.

You want to stay true to your core constituents, yeah.

>> Yeah, yeah.

>> Right.

>> Yeah.

>> So that makes a whole lot of sense.

Tell us about Legal Services as a structure.

I mean, how does this work?

Do you run amok and no one oversees you?

[ Laughter ]

How does that work?

>> Not at all.

Not at all.

Legal Services is a nonprofit.

We're a 501(c)(3), and all those

persons who heard that can donate to us at any time.

>> [ Laughs ]

>> And it's tax-exempt.

We are a nonprofit.

We have a board of directors.

We call it a board of trustees.

And they are our governance.

They're our governing body.

And because Legal Services receives money on an annual basis, thus far, from the Legal Services Corporation, we are bound by the regulations that govern entities that receive money from the Legal Services Corporation.

We have a number of other grants that we receive, and so we are, if you will, responsible for meeting the criteria and the restrictions provided with those funds.

So, no, we don't run amok, and we receive quite a bit of our money from the local government. And believe you me, we would also have to meet some strict guidelines.

And we are audited.

We have an annual audit, and it is not just something that we do.

We have to hire outside auditors, because we have to submit audited financials to the entities that provide us funding.

So, we don't run amok.

>> Okay, but, so, for now.

>> And we are lawyers, and we still have to provide services in accordance to the law.

>> Okay.

So, for now. For now.

You're not going away.

Even with this administration up there.

>> No. No, no.

>> Okay, good.

That's very reassuring.

>> That's one of the reasons that we always are seeking opportunities to diversify our

funding, so that if one funding source is lost, we can continue to provide services.

>> Okay.

Approximately how many clients do you have?

How many?

>> Well, I can't really tell you that we have one client base.

I can tell you about the number of cases that we have handled, and the number of matters that have closed, are opened.

>> Off the top of your head?

>> And between our St. Thomas -- Yeah.

I remember the statistics regularly.

>> [ Laughs ]

>> Between our St. Thomas office and our St. Croix office, we typically will handle somewhere between 1,200, 1,500, upwards trying to be at 2,000 annually.

And those are people in the doors and out the doors.

Some cases don't get resolved in a year's time.

>> Right.

>> But we handle a lot of people through our doors.

>> Seems like it.

>> Wow.

How much staff do you have?

That's a lot of cases.

>> Yes.

>> Well, that's an interesting proposition.

We have positions in both of our offices whereby --

We have a managing-attorney position in both offices, and in our St. Thomas presently that position is open.

>> Mm.

>> And our positions are for three staff attorneys in each office, and we are not filled in either.

And a lot of that happened post-hurricane.

>> Oh, they left.

>> But even with the staff we have, I can tell you that our

attorneys are carrying caseloads upwards of 100-plus on an ongoing basis.

So the idea is to complete the matter, close the file...

>> As soon as possible.

>> ...and you have room to receive someone else.

>> Wow.

So it's all attorneys?

You have no other professionals?

>> Oh, my goodness.

We have a --

>> [ Laughs ]

>> If I left this person out, I would be remiss.

And because I am an attorney, I'm also one of the persons who handles a caseload.

>> Oh, wow.

>> Not a significant caseload.

Right now, that is true, but that is not something that I expect to do ongoing, and I'm getting a slap on the wrist right now.

But again, we attempt to meet the needs of the people in the community.

>> Yeah.

>> So, at any rate, we do have other professionals.

I do have a chief financial officer.

>> Okay.

That's important.

>> And, thank God, he's great, because managing the number of sources of funding and meeting the requirements and making sure that we're on point and keeping everything straight and reporting on time, and our audits have always come out clean.

>> Good. Good.

That's really good.

>> Clean.

So, we have a great CFO.

And then we have, I'm gonna call them paraprofessionals, because our support staff that handles the clients as they come through the door, they are extremely

professional.

They know how to bring them in. They know how to calm a person down when they're going through a crisis, and get the information and prepare them to see an attorney to help to find a solution to their particular issue.

>> And you're right, because when I called your office, boom! Right away.

[ Laughter ]

I got what I needed.

>> Yeah.

We have two support persons in each office that work basically at the front.

But we just started another program, and this is part of diversifying our funds.

We have the Senior Medicare Patrol grant for the territory.

>> Ah, okay.

>> We were the proud recipient. As I said, we've been quietly moving around, trying to get some things done.

But the Senior Medicare Patrol grant that we received, we actually have a young lady that is our project director for that project.

So we have some other staff persons, because we're trying to do some things and serve a special part of our community.

>> That is wonderful.

You made my day.

[ Laughter ]

You really made my day, because that was a service that's so desperately needed.

Really.

I used to work with CMS, Medicare.

>> Okay.

>> So we used to look at, under our regional office, the Senior Medicare Patrol programs -- well, before they took it to another agency.

But it's really an important entity, important program, and

it really helps the seniors.  
>> This was actually something new that happened, and we are just starting to gear up to get ready to move it out.  
>> That's good.  
That's good.  
>> Especially with all the new Medicare cards that were issued.  
>> That came out, yeah.  
Yeah, yeah.  
That's interesting.  
>> Tell the audience a little bit what the patrol is supposed to do, the Medicare Patrol.  
>> The Medicare Patrol is supposed to identify where there's fraud, and persons receiving Medicare benefits -- There's a lot of identity theft generally, and especially with seniors, who are, again, part of a vulnerable community. We're supposed to do some education and outreach so that persons know how to read those Medicare statements.  
I don't know if you've ever seen one, but...  
>> Oh, yeah. Complicated.  
>> ...they're a little complicated.  
>> Yeah.  
>> And so identifying where there's fraud, whether it's individually, where someone's numbers were taken, and someone is receiving benefits that they should rightfully receive, or whether it's certain providers of services who regularly are not doing what they should be doing and taking advantage of the Medicare funding, which hurts us all in the community, because when that happens and those funds are no longer available to our community, it hurts us all.  
>> Yes, yes.  
Oh, like Bill Info Services that they didn't provide.  
>> That's correct.  
>> Yeah, yeah.

>> So, the kinds of things that we are to do under that grant are to identify where those things are happening, where the potential exists, and to report. That's a big part of what we'll be doing is reporting.

I know it doesn't sound like a glamorous job, but someone has to do it.

>> Well, yeah.

The concern is, with respect to reporting, the patient is very reluctant to report on their service provider or their doctor that, "I'm being billed for something," because they're worried about being retaliated against, right?

>> Yes.

>> It's not fair.

>> It's true.

>> So, then, would the Medicare Patrol program be the entity, like, the go-between?

I would, as the patient, go to the Patrol program and say, "Look, I suspect this is happening"?

>> That's correct.

>> That's good.

>> That's correct.

>> Mm-hmm.

>> Because the government entity actually does all of the litigation that may be involved in recovering those funds.

>> Mm-hmm. Mm-hmm.

>> But it's our position that we do a fair amount of community education, and this will be a big part of our community education so that we can alert the public as to how it is you can identify prospective fraud, how you can identify actual fraud, and then what to do about it if you suspect it.

>> Exactly. Right, right.

And like Amelia was saying, some beneficiaries might be hesitant because that's their provider, and they've been with that provider for

years and years and years.  
But still, you know, you're  
supposed to receive that  
statement, the summary notice,  
for services you actually  
received, period.

>> Well, what we want to do is,  
we want to open a lot of other  
avenues for persons to report  
where they might feel more  
comfortable.

People coming to lawyers isn't  
always something that they're  
willing to do.

But as part of our grant, we  
partnered with the Disability  
Rights Center, we partnered with  
AARP.

So, the places our seniors would  
normally go to do other things,  
there might be an opportunity.  
But we've got to educate the  
persons at Disability Rights  
as well as at AARP how it is  
that they are to look at those  
statements, as well, and how it  
is that they can interact with  
the seniors to teach them how to  
look at those statements, and to  
determine where potential fraud  
is existing, and then what to do  
about it.

>> Did you apply for the grant?

>> Yes, we did.

>> Wow!

>> Yes, we did.

>> That's wonderful.

>> Yes, we did.

>> Good for you.

Good for you.

>> Yes, we did.

>> You're the right agency to  
handle this, too.

>> I don't disagree.

>> Oh, wow.

>> Now, if somebody is in need  
of your services, how would they  
get in contact with your office  
here and in St. Thomas?

>> Our office here in St. Croix,  
the number is 718-2626.

Again, that number is 718-2626.

And in our St. Thomas office,  
the number is 774-6720.

774-6720.

>> That's great.

>> Our hours are 8:30 to 5:00,  
and call us anytime.

>> [ Chuckles ]

So, we're gonna take another  
break.

You're listening to "Ability  
Radio -- You and Your Life".  
And we'll be right back after  
this message.

[ The Pointer Sisters' "Yes We  
Can Can" plays ]

>> Now's the time for all good  
men to get together with one  
another.

We got to iron out our problems  
and iron out our quarrels and  
try to live as brothers.

And try to find peace within  
without stepping on one another.  
And do respect the women of the  
world.

Remember you all have mothers.  
We got to make this land a  
better land.

[ The Pointer Sisters' "Yes We  
Can Can" plays ]

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>> We're back.

You're listening to "Ability  
Radio -- You and Your Life".

My name is Amelia Headley  
LaMont, joined by my co-host  
Iris Bermudez, and our special  
guest today is our is Attorney  
Shelby Gaddy.

She is the Executive Director of  
Legal Services of the Virgin  
Islands.

Now, Attorney Gaddy, prior to  
this section, you talked about

trainings, and the outreach that Legal Services is involved in. Tell us a little bit about that. What has been your usual shtick...

[ Laughter ]

...when it comes to training and outreach?

>> We do quite a bit of outreach, actually.

Not just training for attorneys. We do quite a bit of that.

As you know, I've made several presentations to the Virgin Islands Bar Association, as well as training outside of the Virgin Islands, whereby we were privileged to be one of the persons on a panel of attorneys that talked about disaster legal services at the National Bar Association in New Orleans this past year, as well as presentations to the Southeast Project Directors, which is other Legal Services executive directors and administrators. So, we talk about how it is to provide services, and especially in our unique circumstance of being here in the territory post a disaster.

We also do quite a bit of outreach with our community.

We have done presentations annually at the Virgin Islands Housing Authority, both here and in St. Thomas, educating persons about what it is that they should look for in their lease, and how they can advocate with respect to their rights under their lease.

We do presentations regularly with the caregiver support group, for persons who are taking care of their loved ones that are -- it could be family members, it could be non-family members, and we're regularly doing that.

We've done training for the -- and I'm not sure what combination of persons were

there, but Senior Citizens' Affairs has asked us to do training for the persons who work for them that are caregivers, talking about what are their responsibilities, and, legally, what it is that they can do, they shouldn't do. We talked a lot about informed consent so that they understand exactly how it is that they are to go about performing their duties for persons who might be diminishing in their capacity to make reasoned decisions. We've done sessions at senior homes about wills and probates and things like that.

Wow.

Wherever we are asked to provide some assistance and some information and training, or simply just provide information and be available.

>> Well, for example, I know that the whole notion of guardianship has evolved over the course of years.

I remember a way, way, way long time ago, you would be able to petition the court, say somebody's of a certain age, may not be as competent, and the courts would sign off without even the person appearing or anything like that.

Those were the days when we were not as enlightened.

Of course, the trend now, ideally, is that if a guardian is appointed, that it be to hopefully to an extent where that responsibility is shared. At least, that's the view from the Disability Advocacy Network. I know here in the Virgin Islands -- and maybe that's still the case -- if you go in for guardianship, you get the whole hog, so to speak.

And I'm just being very -- yeah.

>> Yes, you do.

>> So there isn't that notion of a limited guardianship yet.

Is that the case?

There's always this view that self-determination, you should at least have an ability to share in how your affairs are handled.

>> Actually, that has come a long way.

So, there is some limited guardianship where you can participate in certain decisions.

And this is something very new.

>> Yeah, I know.

Yeah.

>> It's very, very new.

And I think we recently did a presentation over at the university.

I know, here in St. Croix, I was one of the presenters, and Archie Jennings from your organization had actually been involved.

And this was, again, part of our outreach.

But we were doing a presentation, and I ended up doing that portion that talked about the guardianship and the laws and how they have changed, and so that a person can still be involved in making their decisions, but certain things they don't feel comfortable or competent in handling on their own.

So we do have some version of it.

I haven't seen it in action, so I don't know how good or how bad it is, or whether it's effective.

>> Yeah.

I think it's more aspirational right now.

And what we are seeing in our work are youngsters who turn 18, and now parents realize -- if it's a former child who needs assistance, then the parents are now compelled to petition the court for guardianship.

And, you know, how does that

work out?

Because that would be, at least for some, an ideal time to try and apply that limited-guardianship piece.

>> And right now, some of the parents have been determined to maintain the entire decision-making responsibility. And you never move a person to any portion of being independent when you do that.

>> Right.

>> But we're not completely social workers, so we render services as they are requested, providing the advice with respect to, what are the pros and the cons of doing what it is that our clients have requested? But socially, that's problematic, because a person never becomes completely independent.

>> Right, right.

>> And what happens when the guardians...

>> Pass away.

>> ...pass away?

>> Yeah.

>> Who takes responsibility, or who is able to assist that adult person who has become a ward of their parents?

>> Is there something that can be done about that?

Let's say a parent has guardianship, and maybe the child is independent enough to be his own guardian?

I mean, I don't know what the legal term is for that.

But can somebody else step in and become the guardian for that child?

>> Now adult. [ Chuckles ]

>> Oh, adult.

Yeah.

Now that he's an adult?

>> You can terminate one guardianship and, yes, have another.

>> Have another.

Wow.

>> I've never heard of this, and this is a wild question.

Can a guardian say, "I want to fire my guardian and emancipate myself"?

>> Can a ward?

>> Yeah.

>> You know...

>> That's a good question.

>> That's a very good question, because we've had some situations whereby we've had a ward come to our office and say, "I no longer want this person to handle my business, because I think I'm now well enough to handle it on my own."

And I think that the guardianship could be challenged and terminated, because that individual has now become able to handle their affairs. And with some type of doctor certification, which is the same thing we used to create the guardianship, I think it can be done.

>> Hm.

>> The one we actually had, I think the family members finally agreed.

But it was not easy.

>> Oh, I'm sure.

>> It was not easy.

>> Very interesting.

Well, we're gonna take another break, and we'll be right back.

[ The Pointer Sisters' "Yes We Can Can" plays ]

>> We got to make this land a better land than the world in which we live.

And we got to help each man be a better man with the kindness that we give.

>> And we're back.

You're listening to "Ability Radio -- You and Your Life".

This program is brought to you by the Disability Rights Center of the Virgin Islands in collaboration with VI Lottery --

Making a difference.

Our special guest today is Attorney Shelby Gaddy, current Executive Director -- I should just say Executive Director [Laughing] and CEO of Legal Services of the Virgin Islands. I think "current" implies that it may not be a permanent position.

I suspect you will be there for a very, very, very long time. And we're very happy about that. Before the break, we talked about outreach and training and information, and, oh, my goodness, there's a lot to be learned about how...

>> Yes.

>> Well, in the area of guardianship.

In the area of workers' rights, in the area of landlord/tenants. As you say, these are bread-and-butter issues that are important post-disaster, pre-disaster, you know, in times of riches and milk and honey. It's very important.

Tell us a little bit more.

And we were talking about guardianship and whether you can -- can the Lord giveth, and whether it can be taken away from you if you abuse that privilege.

>> Right.

>> Let me give you an example.

One of the newer grants that Disability Rights Center has now is what's referred to as a grant where we would investigate instances, let's say -- and it's only in this instance -- if an individual has Social Security Disability benefits, Disability insurance, SSDI, and the benefits are being paid to a guardian, if you will, or what we call in Social Security language a rep payee, and the rep payee is not doing --

>> What they're supposed to.

>> ...what's in the best interest, right. They're not doing what they're supposed to. Our office now has a small grant in which we can investigate, write it up, and submit that information directly to the Social Security administration.

>> That's great.

>> Yeah.

So these are the kinds of things we have to be mindful of -- somebody who is placed in a position of trust, and who abuses that trust.

>> Mm-hmm.

>> And in great respect, Legal Services as well as our office is -- we don't have the executive-branch enforcement capabilities, but we can certainly rat you out.

[ Laughter ]

You know, if you abuse that privilege.

>> Right.

>> So, you mentioned an interesting case. What are some other interesting cases?

Of course, you can't breach anyone's confidentiality, but generally, are there any interesting cases that come to your mind over the years?

Love a good story.

>> [ Laughs ]

And a good victory. I have one that I will not forget, but I will not -- that I encountered Legal Services, and Archie Jennings, who listens, he would know which case I'm referring to. But there's got to be something that really stays with you as something -- you've changed the life of somebody or helped somebody who was really in need.

>> Wow.

>> There's so many?

>> There's so many.

[ Laughs ]

>> There are a lot of those stories, actually, and this is why I do what I do, because of those stories, and the smiles that can be put on someone's face in a situation where they've been taken advantage of. I can't really tell you one particular case. We've had some things -- and I think you referred to this when we were on break. We talked about cases where Legal Services has been involved, and has done some things that were precedential in the territory. And one of those situations that we had was a gentleman who was injured and couldn't work anymore, and he was receiving unemployment. And what happened was, he also had reached an age where he could then apply for Social Security, and he applied for Social Security Disability because he was truly at a place where he could not work. And, you know, when you are receiving unemployment, you have to be able and available to work to continue to receive the benefits. And he was able and available to do whatever work he could physically do, and he went out looking for that work, but he was not able to find anything over a period of time. Once he applied for and was made eligible for Social Security Disability -- and once they determine you're disabled, they go back to the date you applied, and they make the funds retroactive. So he received those funds retroactively, and our Unemployment office wanted their funds back. And it became a case where it's like, "Well, no."

>> Yeah.

>> He was able and available during the time, and that's really the basis upon which you make a decision, and so he should not have to pay those back.

The fact that he did get his Social Security benefits based upon his disability, he was eligible.

You can't now just go and take that back from him and make him pay back.

And he was facing something like almost \$30,000 to pay back.

>> [ Gasps ]

>> And it would have been a hardship.

So that was one of those cases -- it was a case almost of first impression, if you will, that we were able to win that for him.

>> But don't you also already pay into the Unemployment system?

>> Well, you've done that over the years of working.

>> Right.

So why would they want it back?

>> Well...

>> Come on.

>> Oh, okay.

That's interesting.

>> [ Laughs ]

>> Congratulations.

That's an important victory.

>> Congratulations.

>> Again, if somebody needs to get in touch with your office, how would they get in touch with Legal Services?

>> You can call Legal Services in St. Croix at 718-2626, or in St. Thomas -- 774-6720.

Thank you so much for inviting me this morning.

>> Thank you.

>> Thank you. Thank you.

>> This has been very informative, and I'm really looking forward to hearing about your new project.

>> Yes, yes.

>> Mobile legal warriors.  
I love it.  
[ Laughter ]  
This has been "Ability Radio --  
You and Your Life."  
Thank you so much.  
And next Saturday, Iris, who do  
we have?  
>> At St. Thomas,  
Dr. Karen Brown.  
>> Karen Brown.  
>> Karen Brown, yeah, from UVI.  
>> UVI.  
So tune in next Saturday, have a  
great weekend, and thank you so  
much for listening.  
Bye-bye.  
[ The Pointer Sisters' "Yes We  
Can Can" plays ]  
...without stepping on one  
another.  
And do respect the women of the  
world.  
Remember you all have mothers.  
We got to make this land a  
better land than the world in  
which we live.  
And we got to help each man be a  
better man with the kindness  
that we give.  
I know we can make it.  
I know that we can.  
I know darn well we can work it  
out.  
>> Oh, yes, we can.  
I know we can, can.  
Yes, we can, can. Why can't we?  
If we wanna, yes, we can, can  
I know we can make it work.  
>> I know we can make it work.  
I know we can make it if we try.  
>> Oh, yes, we can,  
I know we can, can.  
Yes, we can.  
>> Great gosh almighty.  
>> Oh, yes, we can.  
I know we can, can.