

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT, CHANCERY DIVISION

Illinois Collaboration on Youth, et al.,

Plaintiffs,

v.

James Ditmas, Secretary of  
The Illinois Department of Human  
Services, in his official capacity, et al.,

Defendants.

Case No. 16 CH 6172

Hon. Rodolfo Garcia

**MOTION OF JANE ADDAMS SENIOR CAUCUS, METROPOLITAN TENANTS ORGANIZATION, HOUSING ACTION ILLINOIS, ONE NORTHSIDE, CHICAGO COALITION FOR THE HOMELESS, CENTER FOR CHANGING LIVES, ILLINOIS COALITION FOR IMMIGRANT AND REFUGEE RIGHTS, CHAMPAIGN COUNTY HEALTH CARE CONSUMERS, THE SPARROW COALITION, UNITARIAN UNIVERSALIST ADVOCACY NETWORK OF ILLINOIS, SERVICE EMPLOYEES INTERNATIONAL UNION – HEALTHCARE ILLINOIS & INDIANA, BRIGHTON PARK NEIGHBORHOOD COUNCIL, PRAIRIE STATE LEGAL SERVICES, LAND OF LINCOLN LEGAL ASSISTANCE FOUNDATION, LAF, COMMUNITIES UNITED, THE GRASSROOTS COLLABORATIVE, VOICES FOR ILLINOIS CHILDREN, AND THE SARGENT SHRIVER NATIONAL CENTER ON POVERTY LAW FOR LEAVE TO APPEAR AS *AMICI CURIAE* AND TO FILE A BRIEF INSTANTER IN SUPPORT OF THE PLAINTIFFS**

NOW COMES the movants Jane Addams Senior Caucus, Metropolitan Tenants Organization, Housing Action Illinois, ONE Northside, Chicago Coalition for the Homeless, Center for Changing Lives, Illinois Coalition for Immigrant and Refugee Rights, Champaign County Health Care Consumers, The Sparrow Coalition, Unitarian Universalist Advocacy Network of Illinois, Service Employees International Union – Healthcare Illinois & Indiana, Brighten Park Neighborhood Council, Prairie State Legal Services, Land of Lincoln Legal

Assistance Foundation, LAF, Communities United, The Grassroots Collaborative, Voices for Illinois Children, and the Sargent Shriver National Center on Poverty Law, by and through their attorneys, the Sargent Shriver National Center on Poverty Law and pursuant to Illinois Supreme Court Rule 345, respectfully move this Court for leave to file instanter their brief amicus curiae in support of Plaintiffs' motion for a preliminary injunction, hereby states as follows:

1. *Amici* seek an opportunity to illuminate the far-reaching implications at issue in the above-captioned matter, wherein direct service providers are seeking declaratory and injunctive relief for Illinois agency and officers' non-payment of contracts to provide human services throughout the state. As a result of Defendants' collective failure to fulfill their contractual obligations to provide payment for services rendered, all Plaintiffs have or will soon experience reduced capacity to serve their clients. While Plaintiffs continue to stretch themselves to meet the desperate needs of poor and marginalized communities, total collapse of the critical social services infrastructure upon which thousands of Illinoisans depend becomes a more realistic possibility.

2. *Amici* seek leave to appear and to file a brief instanter in support of the Plaintiffs pursuant to Illinois Supreme Court Rule 345 as organizations with a direct and identifiable interest in the outcome of the matter at issue. *Amici* also possess unique insights with regard to the consequences of Defendants' failure to pay for Plaintiffs' services that are not articulated by the parties themselves, and in this way are especially well positioned to assist the Court in its deliberations.

2. *Amici* have a strong and unique interest in this matter concerning Defendants' simultaneous enforcement and impairment of contracts with social service providers that makes *amici* well-situated to assist the Court. *Amici* are service organizations, non-profits, and

community groups located throughout the state of Illinois who either serve or whose membership represents a broad spectrum of individuals who depend on social services that are funded in whole or in part by the State pursuant to contracts with Plaintiffs in this case. *Amici* seek to file their brief to demonstrate to this Court that Defendants' actions not only harm Plaintiffs but have set in motion a cataclysmic set of events both for the individuals served by Plaintiffs' programs and for the other non-profit programs that assist them.

3. *Amici* will demonstrate how Defendants' actions may permanently dismantle the important fabric of non-profit programs in Illinois, whether funded by the state contracts at issue here or not, that assist individuals and families with a range of services, including help to live independently, to not go hungry, to gain employment, to be protected from child and elder abuse, to address health care needs, to be safe from domestic and sexual violence, to acquire citizenship, to be supported as a new parent, to earn a G.E.D., to learn English, to be safe from violence, to have and maintain affordable housing, to have access to homeless shelters and emergency and transitional housing, and to receive mental health counseling. By failing to pay for services under the state contracts at issue here, Defendants' actions have permanently and adversely altered *amici's* programs.

4. *Amici* are the following organizations:

- **Jane Addams Senior Caucus** ("JASC") is a multiracial, grassroots organization led by concerned seniors in the Chicago metropolitan area. JASC crosses neighborhood, racial, religious and socio-economic lines to find common ground upon which to act on values and issues important to seniors, in particular low-income seniors. Through leadership development, organizing, and popular education, JASC uses the power of a collective voice to work for economic, social, and racial justice for all seniors and the communities

they live in. JASC has about 500 members from diverse backgrounds fighting for social justice. JASC has seen firsthand how its members, many of whom are low-income seniors and seniors who want to continue to live independently, are threatened with physical harm and the loss of their independence by the State of Illinois' failure to make payments for services under the contracts at issue in *ICOY v. Dimas*.

- **Metropolitan Tenants Organization** ("MTO") is a Chicago-based non-profit that operates a citywide hotline for renters and deploys community organizers to work with tenants to improve their housing conditions, prevent homelessness, and preserve affordable housing. MTO has seen firsthand how renters are adversely affected by the failure of the state to honor the contracts at issue in *ICOY v. Dimas*. MTO's hotline is receiving calls from individuals in need of other emergency services, such as mental health counseling, because the mental health agencies are closed or operating with reduced staff and hours due to the lack of payment under the contracts at issue in *ICOY v. Dimas*. MTO's hotline has also experienced an increasing number of calls from households on the verge of eviction and homelessness, due to families and individuals no longer having access to work supports, counseling, and case management.
- **Housing Action Illinois** is a non-profit, member-based statewide coalition formed to protect and expand the availability of quality, affordable housing throughout Illinois. Member agencies include housing counseling agencies, homeless service providers, developers of affordable housing and policymakers. These organizations serve low- and moderate-income households, helping to provide a place to call home, thereby strengthening the community at large. Housing Action has seen firsthand how its members and the communities they serve have been negatively impacted by the failure of

the state to honor the contracts at issue in *ICOY v. Dimas*, particularly as it relates to emergency and transitional housing programs, homeless service providers, and centers for independent living.

- **ONE Northside** is a non-profit, community based program covering the Chicago communities of Lakeview, Uptown, Edgewater, Ravenswood, North Center, Lincoln Park, and Rogers Park. ONE Northside's mission is to build collective power to eliminate injustice through bold and innovative community organizing. ONE Northside accomplishes this through developing grassroots leaders and acting together to effect change. Its members include non-profit programs that support households who live in ONE Northside's focus communities, local businesses, area residents, and area schools, churches, and synagogues. ONE Northside has seen firsthand how its member organizations and area residents have been adversely impacted by the failure of the State to make payments under the contracts at issue in *ICOY v. Dimas*, particularly as it relates to mental health and homeless services.
- **Communities United** ("CU") is a grassroots, social justice organization that builds power by developing local leadership and empowering communities to identify and address the root causes of inequity at the neighborhood, city, state and national levels. CU develops institutions and community residents as leaders, convenes broad-based coalitions, and unites people across age, race, ethnicity, income, sexual orientation, gender identity, abilities and religion to advance structural change that concretely improves people's lives. CU's work engages over 10,000 community residents in north side Chicago neighborhoods of each year. CU has seen firsthand how its members, many of whom are low-income families of color, want to continue to live independently, but

are threatened with physical harm and the loss of independence and opportunity by the State of Illinois' failure to make payments for services under the contracts at issue in *ICOY v. Dimas*.

- **Chicago Coalition for the Homeless** is the only non-profit in Illinois dedicated to advocating for public policies that curb and can ultimately end homelessness. CCH leads strategic campaigns, community outreach, and public policy initiatives that target the lack of affordable housing in metropolitan Chicago and across Illinois. In addition, CCH presses for access to jobs, training, and public schools. CCH's community organizers, policy specialists, and public interest attorneys advocate with people hurt by homelessness, including mothers with children, students, unaccompanied youth, ex-offenders, prostitution survivors, and low-wage workers. CCH's members include over 300 homeless service, homeless youth advocacy, shelter, and supportive housing providers throughout the State of Illinois, almost all of whom have been harmed by the failure of the Defendants to pay for services under the contract at issue in *ICOY v. Dimas*.
- **Center for Changing Lives ("CCL")** is a supportive services center located in Chicago's Humboldt Park neighborhood focused on increasing economic opportunity and providing connections to employment, asset development, work supports, and homeless prevention so low-income individuals can increase wealth and escape poverty. Although it is a citywide program, CCL primarily serves Latino households who reside in the Humboldt Park and Logan Square neighborhoods. CCL receives no state funding directly but is a part of a broader web of services that complements CCL services, so CCL clients can escape poverty and gain income. Due to the failure of the state to make payments at issue in *ICOY v. Dimas*, necessary mental health, housing, benefit counseling, and substance

abuse treatments are not available to CCL clients, which impede their ability to gain employment.

- **The Illinois Coalition for Immigrant and Refugee Rights** is the state's largest multi-ethnic immigrant advocacy organization, serving and representing the broad diversity of immigrant and refugee communities throughout Illinois. In partnership with its member organizations, ICIRR educates and organizes immigrant and refugee communities to assert their rights; promotes citizenship and civic participation; monitors, analyzes, and advocates on immigrant-related issues; and, informs the general public about the contributions of immigrants and refugees. ICIRR and many of its member organizations had been receiving state program grants to provide vital services to immigrant and refugee communities throughout the state. Because of the State of Illinois' failure to make payments for services under the contracts at issue in *ICOY v. Dimas*, these organizations and ICIRR as a coalition have been forced to lay off staff, close programs, and otherwise shrink in their capacity to serve their communities, whose members in turn have not been able to get the help they need to learn English, become citizens, get basic family assistance, and otherwise thrive in their new home.
- **The Sparrow Coalition** is made up service organizations, faith groups, faculty, staff and students from Southern Illinois University, and others. Members of the Sparrow Coalition specialize in services and support for the homeless and persons living in poverty in Southern Illinois, especially in and around Carbondale. The Sparrow Coalition has particular knowledge of how homeless and low-income communities in Southern Illinois have and will continue to be harmed by failure among Illinois agencies to honor the contracts at issue in the Complaint. The Sparrow Coalition was originally founded to help

address a shrinking social service apparatus in Southern Illinois by bringing together stakeholders in the fight against poverty. In that role, the Sparrow Coalition helps organizations and individuals in the network identify problems held in common, seeks out additional funding to bolster access to the range of services that homeless and low-income individuals need, and draws attention to severity of poverty-related issues facing communities in Southern Illinois.

- **Prairie State Legal Services, Inc.** is a legal aid law firm providing legal representation and assistance to low income persons, senior citizens, homeless persons and the elderly. Its mission is to ensure equal access to justice and fair treatment under the law by providing legal advice and representation, advocacy, education, and outreach that serve to protect basic human needs and enforce or uphold rights. Prairie State serves 36 counties in northern and central Illinois from 12 offices. In 2015 Prairie State helped 14,426 clients. Through Prairie State's presence in local communities and active communications with human and social service agencies in their service area, Prairie State has seen firsthand how the decline and closure of these services offered by the Plaintiffs have negatively impacted their clients and their ability to solve their legal problems.
- **Land of Lincoln Legal Assistance Foundation** is an Illinois not-for-profit corporation that represents low-income persons and senior citizens in civil cases in 65 counties in central and southern Illinois. Land of Lincoln's mission is to provide low-income and senior residents of central and southern Illinois with high quality civil legal services in order to obtain and maintain their basic human needs. Through advice, representation, advocacy, education, and collaboration, Land of Lincoln seeks to achieve justice for



those whose voices might otherwise not be heard, to empower individuals to advocate for themselves, and to make positive changes in the communities it serves. In 2015, Land of Lincoln helped 12,800 clients. From its individual representation, presence in local communities, and its communications with human and social services agencies throughout its service area, Land of Lincoln is aware of the dramatic effect of the State's failure to pay for services it contracted for with the agencies. That failure has directly affected its clients and has significantly limited its ability to find solutions for many clients who need the life supporting services provided by the affected agencies.

- **LAF** is a not-for-profit organization that provides free legal representation and counsel in civil cases to disadvantaged people and communities throughout Cook County. Each year LAF's advocates represent thousands of clients who are living in poverty, or otherwise vulnerable, in a wide range of civil legal matters. LAF's areas of practice include bankruptcy, child custody, parentage, child welfare, orders of protection, education, employment, housing, immigration, and public benefits. LAF operates the only legal aid program serving the more than 20,800 migrant farm workers in Illinois and has seen firsthand how the state's failure to pay for services under contract has deprived migrant farm workers of critical financial supports that reduce their food insecurity.
- **Sargent Shriver National Center on Poverty Law** ("Shriver Center") provides national leadership to promote justice and improve the lives and opportunities of people living in poverty. The Shriver Center advances laws and policies, through litigation, legislative and policy advocacy, and administrative reform, to achieve economic, racial, and social justice for our clients. The Shriver Center works across a range of specific issues, including health care, child care, housing, employment and training, asset building,

criminal justice, re-entry, civil rights, early childhood development, and public benefits. Through its representation of low-income clients who need health care, social services, community living supports, and affordable housing, the Shriver Center has seen firsthand how the decline and closure of these services offered by the Plaintiffs have negatively impacted their clients and their ability to solve their legal problems, particularly as it relates to health care and housing.

- **The Unitarian Universalist Advocacy Network of Illinois (“UUANI”)** is a network of approximately twenty Unitarian Universalist congregations located throughout Illinois that collectively include thousands of members. UUANI was formed and exists to promote justice and welfare, and to engage its members in work to achieve these ends. A significant portion of this work is dedicated to alleviating conditions of poverty in Illinois and UUANI members partner with, volunteer at, and otherwise support social service providers who contract with the State of Illinois. In addition, members of UUANI’s congregations personally rely on the services at issue in the present matter. UUANI members have seen significant reductions in services such as mental health services, youth programming, home-delivered meal programs that are vital to the elderly and people with disabilities, and programs that provide for the needs of victims of sexual assault and domestic violence.
- **The Brighton Park Neighborhood Council (“BPNC”)** is a community-based, nonprofit organization serving Brighton Park, a diverse, low-income and working class neighborhood on the Southwest side of Chicago. Many community residents depend on social services to prepare for and access jobs, to achieve housing stability, and to otherwise provide for the well-being of themselves and their families. To help meet these

needs, BPNC provides comprehensive case management, particular for families that are homeless or nearly homeless. This service includes working with a family to better understand their needs, to develop an action plan for addressing those needs and getting them to a stable living situation, and connecting the family to service providers in the community. As a result of the State's refusal to fund services, BPNC is finding it increasingly difficult to connect families with the services they need - they are finding increasingly long wait times before they can get into speak with a provider and in some instances are being told that the provider simply is not accepting new clients. This has increased the length of time that BPNC-served families live without housing or in unstable housing and has also impacted BPNC resources as case managers spend more time with each client as they repeatedly return from unsuccessful efforts to access the programs they need.

- **The Service Employees International Union - Healthcare Illinois & Indiana**

("SEIU") represents over 8,000 home care aides at Plaintiff Addus Healthcare, Inc. who provide vital home-care services for seniors in every part of the state. Addus is owed approximately \$55 million from the State dating back to July 1, 2015 for homecare services already provided to non-Medicaid eligible seniors. This constitutes approximately half of Addus's billings. Without an FY16 state budget appropriating funds for services already provided, and with no timetable for when the state will pay these outstanding bills, SEIU's members and the clients they serve find themselves in an unstable and insecure situation. SEIU has witnessed closure and/or drastic reductions in services at eight other home-care agencies and expects that if the State continues to refuse

to pay, Addus and other still-operating providers will similarly discontinue important services and lay off employees.

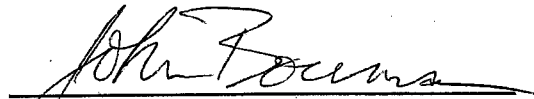
- **The Grassroots Collaborative** (the “Collaborative”) is a diverse network of twelve membership-based organizations throughout Illinois that spans diverse ethnicities and includes low-wage service employees, the homeless, senior citizens, immigrants, peace activists, faith leaders, and residents of poor and working class communities. As a result of the State’s refusal to fund services, the Collaborative and its organizations members have witnessed the loss of key programs and are concerned about further cuts. These include anti-violence programs; immigrant services that support applying for citizenship and residency and English as a Second Language classes; after-school programming; home-care that seniors rely on to live independently in their own homes; and educational and job-readiness programming that helps adults access full-time employment.
- **Voices for Illinois Children** (“Voices”) Voices for Illinois Children (“Voices”) is a statewide, nonpartisan, multi-issue advocacy organization that is committed to building better lives for children. Voices understands that the well-being and success of children is not just about education, but about an interconnected array of services and supports that keep them safe and healthy, and that prepare them to be informed and engaged citizens and to succeed in the workforce of the future. Voices fears that if the State is not compelled to pay on its contracts, what will remain if and when the State finally does pay for past services will be an ineffective fragment of the critical provider network that existed before the State stopped payment.

5. This Motion for Leave To Appear as *Amici Curiae* is timely and will not pose undue delay or burden on any party. Plaintiffs filed their initial complaint on May 4, 2016 and

filed their Motion for Preliminary Injunction yesterday, May 25, 2016. Defendants have not yet responded to either the complaint or motion for preliminary injunction.

WHEREFORE, *Amici*, respectfully pray that this Honorable Court enter an order granting their Motion For Leave To Appear as *Amici Curiae* and to file the brief instant in support of Plaintiffs, attached as Exhibit A, and to grant such other and further relief as this Court deems just.

Respectfully submitted,

  
John M. Bouman  
One of the Attorneys for *Amicus Curiae*

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EXHIBIT

A

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT, CHANCERY DIVISION**

Illinois Collaboration on Youth, et al.,	)	
	)	
	)	
Plaintiffs,	)	Case No. 16 CH 6172
	)	
v.	)	
	)	Hon. Rodolfo Garcia
James Ditmas, Secretary of	)	
The Illinois Department of Human	)	
Services, in his official capacity, et al.,	)	
	)	
Defendants.	)	

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**BRIEF OF AMICI IN SUPPORT OF PLAINTIFFS**

**INTRODUCTION**

*Amici curiae* **Jane Addams Senior Caucus, Metropolitan Tenants Organization, Housing Action Illinois, Illinois Coalition for Immigrant and Refugee Rights, Sparrow Coalition, Champaign County Health Care Clients, Sargent Shriver National Center on Poverty Law, Center for Changing Lives, Communities United, Chicago Coalition for the Homeless, ONE Northside, The Unitarian Universalist Advocacy Network of Illinois, Communities United, Service Employees International Union – Healthcare Illinois & Indiana, Brighton Park Neighborhood Council, LAF, Land of Lincoln Legal Assistance Foundation, The Grassroots Collaborative, Prairie State Legal Services, and Voices for Illinois Children** (“collectively “*Amici*”), pursuant to leave of this Court and Illinois Supreme Court Rule 345, respectfully submit this memorandum in support of the brief filed on behalf of the Plaintiffs in *ICOY v. Dimas*.

*Amici* are uniquely positioned to inform the Court of the value of services provided to citizens of Illinois by the Plaintiffs named in this action pursuant to contracts at issue in *ICOY v. Dimas*. *Amici* are also especially able to outline the dangers posed to recipients due to Defendants' impairment of those contracts. *Amici* will describe for this Court the range of services provided by Plaintiffs under the contracts and how they are essential to the day-to-day lives of individuals either served by *amici* or who are individual or organizational members of *amici*; warn the Court of devastating harm to recipients of these services if they cease to receive them or if those services have already stopped; and raise the concern over the emergent financial crisis of the Plaintiffs resulting in a lack of proper notice to recipients that they will imminently be cut off from those services, leaving them with no opportunity to secure other services. Plaintiffs' interest here, while aligned with *amici* demanding that the contracts be honored, is to secure payments due under those contracts so that further financial debt is not incurred, program staff can be maintained or restored, and the likely financial liability of the contractors as a result of the contract impairment is resolved. Plaintiffs have not described how the Defendants' failure to pay for services rendered under the contracts has threatened critical social services that directly impact the lives of *amici*'s clients and members and jeopardized their ability to live independently, to not go hungry, to gain employment, to be protected from child and elder abuse, to address health care needs, to be safe from domestic and sexual violence, to acquire citizenship, to be supported as a new parent, to earn a G.E.D., to learn English, to be safe from violence, to have and maintain affordable housing, to have access to homeless shelters and emergency and transitional housing, and to receive mental health counseling. These are not trivial losses but vital and often times lifesaving programs of which Illinois residents have been deprived for the



last year. *Amici* can provide this information to the Court concerning the significant collateral consequences of this contract dispute.

## ARGUMENT

### **I. AMICI'S PROGRAMS, MEMBERS, AND CLIENTS HAVE LOST OR HAVE BEEN DIRECTLY THREATENED WITH THE LOSS OF VITAL SOCIAL SERVICES.**

*Amici* have a strong and unique interest in this matter concerning Defendants' simultaneous enforcement and impairment of contracts with social service providers that situates *Amici* well to assist the Court. *Amici* are service organizations and community groups located throughout the state of Illinois who either serve or whose members include a broad spectrum of individuals who depend on social services that are funded in whole or in part by the State pursuant to contracts with Plaintiffs in this case. In particular, *amici* who operate programs or whose members reside in the southern part of the state have seen some of the most devastating impacts of the Plaintiffs not being paid for their services under the contracts. The descriptions below are based upon the experiences of *amici* and represent a sampling of the harm experienced by other non-profits across the state that work in partnership with the Plaintiffs to provide an important network of services to low- and moderate-income households, persons with disabilities, persons experiencing homelessness, seniors, and working families throughout the state.

A. **Jane Addams Senior Caucus** ("JASC") is a Chicago-based non-profit led by concerned seniors in the Chicago metropolitan area. Through leadership development, organizing and popular education, JASC uses the power of a collective voice to work for economic, social and racial justice for all seniors and the communities they live in. JASC has about 500 members from diverse backgrounds fighting for social justice. JASC has seen firsthand how its members, many of whom are low-income seniors and seniors who want to live

independently, are threatened with physical harm and the loss of their independence by the State of Illinois' failure to make payments for services under the contracts at issue in *ICOY v. Dimas*.

The programs most directly impacting JASC members include a range of services that enable seniors to age in place, to live independently and to avoid expensive nursing home care, and to avoid serious injury due to not having essential home care services. For example, the Meals on Wheels program, which delivers meals to seniors and persons with disabilities who are unable either to prepare meals or have meals otherwise provided, is a critical program for seniors who live independently. As well, many seniors are eligible for community care and homemaker programs, which provide in-home or senior center support to seniors, but are not covered by Medicaid and are thus one of the many contracts not being paid. Due to the failure to pay the contracts, seniors are being told their homemaker hours will soon be substantially reduced, meaning that they will receive less in-home support. The lack of in-home support exposes seniors to serious health issues, including injuries resulting from not being supported as they take on daily life activities such as preparing meals, bathing, and doing laundry. Seniors have been told by contractors that senior centers and many of the service providers will likely further reduce hours due to the lack of payments, substantially reduce their staff, or possibly close their doors.

B. **Housing Action Illinois** ("HAI") is a statewide coalition formed to protect and expand the availability of quality, affordable housing throughout Illinois. HAI members include housing counseling agencies, homeless service providers, developers of affordable housing and policymakers. These organizations serve low- and moderate-income households, helping to provide a place to call home, thereby strengthening the community at large.

HAI has seen firsthand how its members and the communities they serve have been negatively impacted by the failure of the state to honor the contracts at issue in *ICOY v. Dimas*. There is currently no operating funding going to emergency and transitional housing programs for approximately 100 agencies throughout the state, resulting in fewer homeless and extremely low-income households being served statewide. Many of those agencies have reduced services to populations in need, laid off staff, and are on the brink of closing. Homeless service providers, due to the failure of the state to pay them under the contracts, are reducing staff and services, which likely only exacerbates the harms caused by homelessness. These challenges are compounded by the lack of homeless prevention dollars coming from the state, funding that prevents households from becoming homeless due to emergencies or a temporary loss in income. HAI homeless service providers covering the more rural, southern part of Illinois are faring the worst. These agencies cover larger service areas than most other agencies and heavily rely upon state funding to operate these critical programs to prevent homelessness and help households experiencing homelessness find shelter, support, and services.

As well, HAI's membership includes Centers for Independent Living, which operate community-based, cross-disability, nonresidential private nonprofit agencies designed and operated within a local community by individuals with disabilities. These centers provide an array of independent living services and are also hugely impacted by the failure of the state to make payments under the executed contracts. Many are only open four days a week now and some are on the brink of closing. Those reduced hours directly impact the ability of persons with disabilities to live independently.

**C. The Illinois Coalition for Immigrant and Refugee Rights (ICIRR)** is the state's largest multi-ethnic immigrant advocacy organization, serving and representing the broad

diversity of immigrant and refugee communities located throughout Illinois. In partnership with its member organizations, ICIRR educates and organizes immigrant and refugee communities to assert their rights; promotes citizenship and civic participation; monitors, analyzes, and advocates on immigrant-related issues; and informs the general public about the contributions of immigrants and refugees.

Many of ICIRR's member organizations had been receiving state program grants to provide vital services to immigrant and refugee communities throughout the state. Because of the State of Illinois' failure to make payments for services under the contracts at issue in *ICOY v. Dimas*, these organizations and ICIRR as a coalition have been forced to shrink their capacity to serve their communities. Two of ICIRR member organizations have closed entirely, while others have come close to exhausting the lines of credit that have kept them open. Numerous ICIRR member organizations have reduced their service hours and more than 200 staff members have been laid off by coalition members. Several organizations have closed down programs that assist immigrants with their English skills and their citizenship applications. Others continue to provide language access assistance on a limited basis, often receiving calls for help from Illinois Department of Human Services personnel who lack the language capacity to interact with clients. All of these impacts have irreparably damaged the ability of ICIRR members to serve their communities, who now have greater difficulty getting the help they need to learn English, become citizens, get basic family assistance, and otherwise thrive in their new home.

**D. The Sparrow Coalition** is a community partnership of social service organizations, Southern Illinois University researchers and students, civic leaders, faith communities, and others. The coalition works to connect existing resources and community stakeholders to solve poverty and homelessness in Southern Illinois. Organizations with involvement include the

Southern Illinois Coalition for the Homeless; Centerstone; Good Samaritan Ministries; Southern Illinois University; Shawnee Healthy Families; and the Carbondale Interfaith Council.

Participating individuals specialize in services and support for the homeless and persons living in poverty in Southern Illinois, especially in and around Carbondale. The Sparrow Coalition was originally founded to help address a shrinking social service apparatus in Southern Illinois by bringing together stakeholders in the fight against poverty. In that role, the Sparrow Coalition helps members of the network identify problems held in common, seeks out additional resources to bolster access to the range of services that homeless and low-income individuals need, and draws attention to the severity of poverty-related issues facing communities in Southern Illinois. The budget impasse and corresponding nonpayment of contracts has forced members to pull back from the Coalition to focus more on day-to-day survival for their groups. Sparrow's mission has been fundamentally altered by the non-payment to its members. Sparrow now focuses on ensuring its members' survival, with the intention that preventing the complete shutdown of more agencies can best avoid or minimize permanent damage to the area's social services infrastructure.

Three Carbondale-based homeless service providers are now working month-to-month without any guarantees of continued existence. Good Samaritan Ministries, The Women's Center, and The Southern Illinois Coalition for the Homeless have turned to private funders in an effort to stay open. However, Southern Illinois does not have a sufficient source of large private donors to support large-scale fundraising. Donations that have been made are inadequate and beginning to dry up. The Southern Illinois Coalition for the Homeless is expected to close as a result, meaning a major and likely permanent loss of low-income housing for 83 residents. The

agency has already made layoffs, completely suspended services, and sold off property in order to keep residents in their homes.

To continue serving their populations, several Sparrow partners have cut staff and services. Coalition partners have also seen a complete depletion of reserve funds. Coalition partners have discussed these challenges with local municipalities, who have acknowledged that local governments lack the resources and expertise necessary to fill the gaps left by the reduction and loss of service providers. It is unlikely that there will be sufficient police and other municipal services to confront the challenges posed by homeless, mentally ill, and other populations who would typically be served by social service organizations that are now unfunded.

A partnership between the Carbondale Public Library and Sparrow members from the SIU School of Social work saw demand within a pilot program designed to help homeless people access services jump dramatically after the broader population was cut off from services, resulting in a group accessing those services that was larger than the originally intended purpose. In one case of unpaid bills that hit particularly close to home for Sparrow, a social work student who volunteered with the coalition lost significant income from contractual work he did providing transportation to Addus HomeCare clients when that program was defunded. He was forced to seek local services himself, and find odd jobs to avoid homelessness for his family. Although childcare funding was eventually restored, SIU students and low-income residents in Southern Illinois had to drop out of college and lost jobs before funding was restored.

Among individuals involved with Sparrow, many are living near the poverty line and are employed by social service providers in Southern Illinois or rely on them to maintain their

employment. When those services are forced to lay off staff, individuals to whom Sparrow is directly connected suffer the consequences of the State's failure to pay.

**E. Champaign County Health Care Consumers ("CCHCC")** is an organization focused on providing free assistance to those in need of access to affordable health care or to other social services. Each month, CCHCC's Community Health Workers serve over five hundred clients in person and by phone, providing case management, information and referral, and interpretation services. With CCHCC's assistance, clients receive help accessing physicians, prescriptions, dental care, vision services, and mental health care, as well as help in managing any accrued health care expenses. CCHCC also assists its clients in applying to programs administered by the Illinois Department of Human Services, including Medicaid, food assistance, disability, and other programs. CCHCC's clients are diverse in terms of race and ethnicity, income, level of education, disability status, age, and area of residence. These clients include low-income individuals and families, persons with disabilities, seniors, formerly incarcerated individuals, and University of Illinois employees and retirees.

As a result of the State's failure to pay on human services contracts, CCHCC has witnessed a litany of harms to its clients. For example, many clients have seen a reduction of available mental health services, resulting in necessary treatments being unavailable and long waits to see service providers. Clients who rely on substance abuse treatment have been harmed by reductions of support staff and available beds. In one case, this has increased the wait time for accessing residential treatment from two to three weeks, to approximately ten weeks. This increase in wait time leaves clients who are otherwise prepared to make a positive change in their life vulnerable to relapse and continued destructive behaviors, and without any place to turn. Reductions in in-home care have also negatively impacted CCHCC clients who act as caretakers

for loved ones with disabilities, diminishing their ability to provide for their families and in some cases forcing them to quit their jobs so that they can personally provide care that would have otherwise been provided by companies funded by State contracts.

CCHCC is also generally concerned about future impacts of the loss of trained, skilled personnel in public health, behavioral health, and social services as workers are forced to leave these fields to pursue other employment as a result of nonpayment. With significantly diminished staffing at social service agencies now and moving forward, CCHCC's ability to facilitate assistance to its clients will be severely jeopardized. CCHCC also notes the considerable risks posed by non-payment of social service contracts to local health departments. While the health department nearest CCHCC has been able to use its own surplus funds to maintain services and retain staff, many other health departments lack this capacity. CCHCC recognizes the significant health impacts on communities around the state where local communities lack the resources to fill the void left in the absence of state-funded social services.

F. **The Unitarian Universalist Advocacy Network of Illinois ("UUANI")** is a network of approximately twenty Unitarian Universalist congregations located throughout Illinois that collectively include thousands of members. UUANI was formed and exists to promote justice and welfare, and to engage its members in work to achieve these ends. A significant portion of this work is dedicated to alleviating conditions of poverty in Illinois and UUANI members partner with, volunteer at, and otherwise support social service providers who contract with the State of Illinois. In addition, members of UUANI's congregations personally rely on the services at issue in the present matter.



UUANI members have witnessed and experienced first-hand the negative impacts of the State's failure to pay for critical services. These harms have been seen most acutely in Southern Illinois, where poverty is prevalent and social services are a critical lifeline for so many residents. The impact of service losses in this region are exacerbated by challenges of geography and transportation, and by limited sources of alternative funding. UUANI members have seen significant reductions in services in areas such as mental health services, youth programming, home-delivered meal programs that are vital to the elderly and people with disabilities, and programs that provide for the needs of victims of sexual assault and domestic violence. One example of the devastation that UUANI has witnessed is the impact of the State's failure to pay for services provided by Centerstone, a large mental health and social service provider with locations throughout Illinois, including in Carbondale where UUANI has a very active congregation. Centerstone has been forced to close some its locations and suspend certain programs. Existing services provided by Centerstone have scaled back and become overwhelmed. For example, UUANI members report that wait times for mental health appointments are now regularly exceeding 20 days.

G.     **The Brighton Park Neighborhood Council** ("BPNC") is a community-based, nonprofit organization serving Brighton Park, a diverse, working class neighborhood on the Southwest side of Chicago. Approximately eighty-five percent of Brighton Park's residents are Latino and thirty-five to forty percent of residents are foreign-born. Per capita median income in Brighton Park is thirty-eight percent less than the Chicago average and ninety-five percent of Brighton Park students qualify for free or reduced-price lunches. Not surprisingly, many residents of the community depend on social services to prepare for and access jobs, to achieve housing stability, and to otherwise provide for the well-being of themselves and their families.

In addition to advocating for policies that improve opportunities for residents, BPNC provides direct services to community residents, including case management services for families that are homeless or at risk of becoming homeless. Case managers work with parents and children to develop and execute action plans to get them employed and into stable housing, and to address needs such as access to G.E.D. and English as a Second Language classes, mental health counseling, job readiness programming, and protection for victims of domestic violence. These plans identify specific goals and concrete steps for achieving them to which clients are held accountable.

The ability of BPNC case managers to help Brighton Park families successfully execute their action plans has been undermined and could be further undermined in the future by the state's failure to pay for contracted services at issue in this matter. For example, plaintiff La Casa Norte also provides vital case management services to families experiencing homelessness, but in a catchment area north of Brighton Park. Because the families BPNC and La Casa Norte serve often have limited transportation options, La Casa Norte is a critical partner to whom BPNC refers families who find it difficult to get to BPNC's office.

Plaintiff Metropolitan Family Services is also an organization upon which BPNC case managers and client families rely heavily. Metropolitan Family Services provides a number of services critical to Brighton Park residents, such as Early Head Start programming for young children, counseling and child-rearing education for first time mothers, and services for victims of domestic violence. BPNC also routinely refers clients to Plaintiff San Jose Obrero Mission for shelter, job readiness and access, and other services to get individuals and families back to stability.

Since the State stopped funding these programs, BPNC case managers have found that clients they refer to service providers are put on increasingly long waiting lists or in some instances are being told that an agency is not taking on any new clients. Whereas in the past, clients had the ability to execute the action plans that they develop with BPNC staff, now clients are returning to BPNC after unsuccessfully attempts to get the support they need to get back on their feet. BPNC and the client now go from Plan A to Plan B, C, and D as families are turned away from services or put on long wait lists. This means that BPNC staff spends more time with each family, a drain on BPNC's limited resources, and more importantly it means that families' crises and periods of instability last increasingly longer.

H.     **The Service Employees International Union - Healthcare Illinois & Indiana** ("SEIU") represents over 8,000 home care aides at Plaintiff Addus Healthcare, Inc. who provide vital home-care services for seniors in every part of the state. Addus is owed approximately \$55 million from the State dating back to July 1, 2015 for homecare services already provided to non-Medicaid eligible seniors. This constitutes approximately half of Addus's billings. Without an FY16 state budget appropriating funds for services already provided, and with no timetable for when the state will pay these outstanding bills, SEIU's members and the clients they serve find themselves in an unstable and insecure situation.

Due to the uncertainty and lack of payment to State vendors, SEIU has already seen eight home-care agencies not party to this suit employing 2,500 homecare aides close or withdraw from the Illinois Department of Aging Community Care Program. This has resulted in the laying off of those workers and has jeopardized vital care for 3,000 clients. Should the State continue to withhold payment, it is expected that Addus and other still-operating providers will similarly discontinue important services and lay off employees.

I. **The Grassroots Collaborative** (the “Collaborative”) is a diverse network of eleven membership-based organizations throughout Illinois that spans diverse ethnicities and includes low-wage service employees, the homeless, senior citizens, immigrants, peace activists, faith leaders, and residents of poor and working class communities. Collectively, the Collaborative represents over 125,000 people statewide. The Collaborative advocates for policies that promote and ensure quality, family-supporting employment, affordable housing, racial equity, and fully-funded education, healthcare, and human services. As a result of the State’s refusal to fund services, the Collaborative and its organizations members have witnessed the loss of key programs and are concerned about further cuts. These include anti-violence programs; immigrant services that support applying for citizenship and residency and English as a Second Language classes; homeless prevention programming; after-school programming that creates critical safe spaces for young people and provide educational support; vital home-care that seniors rely on to live independently in their own homes; and educational and job-readiness programming that helps adults access full-time employment.

J. **ONE Northside** is a non-profit, community-based program covering the Chicago communities of Lakeview, Uptown, Edgewater, Ravenswood, North Center, Lincoln Park, and Rogers Park. ONE Northside’s mission is to build collective power to eliminate injustice through bold and innovative community organizing. ONE Northside accomplishes this through developing grassroots leaders and acting together to effect change. Its members include non-profit programs that support households who live in ONE Northside’s focus communities, local businesses, area residents, and area schools, churches, and synagogues. ONE Northside has seen firsthand how its member organizations and area residents have been adversely impacted by the failure of the State to make payments under the contracts at issue in *ICOY v. Dimas*, particularly

as it relates to mental health and homeless services. ONE Northside's affected member organizations include the Inspiration Corporation, Thresholds, Sarah's Circle, Night Ministry, Lakeview YMCA, and EZRA, an important network of non-profits in the Uptown and Lakeview communities of Chicago for persons experiencing homelessness, in need of mental health care, senior care, domestic violence programs, and wrap-around supportive services to keep them healthy and housed.

As a result of the failure to make payments under the contracts at issue in *ICOY v. Dimas*, ONE Northside members are working more hours with fewer staff, virtually all supportive services have been cut for clients who live in the supportive housing and private market housing programs, and mental health services have been cut or substantially reduced. The loss of supportive services in the supportive housing programs threatens the housing stability of those residents who require supportive services to maintain lease compliance. This strict decline in services across a range of programs forces what staff remains to simply provide triage and emergency care to their clients, rather than to provide comprehensive case management. ONE Northside has seen directly how its members who are clients of these programs have been adversely affected by this decline in services.

K. **Prairie State Legal Services, Inc.** ("Prairie State") is a legal aid law firm providing legal representation and assistance to low income persons, senior citizens, homeless persons and the elderly. Its mission is to ensure equal access to justice and fair treatment under the law by providing legal advice and representation, advocacy, education, and outreach to protect basic human needs and enforce and uphold rights. Prairie State serves 36 counties in northern and central Illinois from 12 offices. In 2015 Prairie State helped 14,426 clients.

From individual representation, presence in local communities and ongoing communications with human and social services agencies throughout its service area, Prairie State is aware of the dramatic effect of the State's failure to pay for services it contracted for with the Plaintiff agencies. That failure has directly affected Prairie State's clients and has significantly limited its ability to find solutions for many clients who need the life supporting services provided by the affected agencies.

Human and social service agencies have been forced to severely reduce and/or terminate necessary human services to the most vulnerable members of Prairie State communities: people with disabilities, the elderly, the homeless, and children. For instance, one agency has terminated all of its behavioral health programs including psychiatric services, assistance to children in mental health crises, outpatient mental health therapy for adults and children, and assistance for persons applying for Illinois mental health care grants. Another agency serving elderly clients has had to reduce the assistance it provides clients in obtaining Community Care assistance, Medicaid, SNAP ("food stamps") and Emergency Assistance from local townships. PADS services, including shelter for the homeless, have been reduced by a third and in some locations by half. Agency nursing home ombudsmen who protect nursing home residents have been reduced by as much as 60 percent. Staff committed to helping senior citizens combat elder abuse has been reduced.

These examples are representative of what Prairie State is seeing throughout its 36 county service area. The most needy and vulnerable of Prairie State's client community are being deprived of services that are sometimes necessary to preserve their very existence and to protect their legal rights.

L. **Land of Lincoln Legal Assistance Foundation** is an Illinois not-for-profit corporation that represents low-income persons and senior citizens in civil cases in 65 counties in central and southern Illinois. Land of Lincoln's mission is to provide low-income and senior residents of central and southern Illinois with high quality civil legal services in order to obtain and maintain their basic human needs. Through advice, representation, advocacy, education, and collaboration, Land of Lincoln seeks to achieve justice for those whose voices might otherwise not be heard, to empower individuals to advocate for themselves, and to make positive changes in the communities it serves. In 2015, Land of Lincoln helped 12,800 clients.

From individual representation, Land of Lincoln's presence in local communities, and Land of Lincoln's communications with human and social services agencies throughout its service area, Land of Lincoln is aware of the dramatic effect of the State's failure to pay for services it contracted for with the agencies. That failure has directly affected Land of Lincoln clients and has significantly limited Land of Lincoln's ability to find solutions for many clients who need the life supporting services provided by the affected agencies.

Human and social service agencies have been forced to severely reduce and/or terminate necessary human services to the most vulnerable members of Land of Lincoln's communities: the elderly, the homeless, children and youths. One agency has closed programs intended to reach homeless and at-risk youth; an adult day care has closed that provided a safe place for the elderly parents of low-wage workers while at work; programs for abused and neglected children have lost staff; health departments have cut back hours and services; homeless shelters have closed or cut back; rent and utility assistance designed to prevent homelessness is gone resulting in an increase in evictions. Agencies have also laid off staff, staff that were themselves low-wage workers now threatened with extreme poverty.

M. **LAF** is a not-for-profit organization that provides free legal representation and counsel in civil cases to disadvantaged people and communities throughout Cook County. Each year LAF's advocates represent thousands of clients who are living in poverty, or otherwise vulnerable, in a wide range of civil legal matters. LAF's areas of practice include bankruptcy, child custody, parentage, child welfare, orders of protection, education, employment, housing, immigration, and public benefits.

LAF operates the only legal aid program serving the more than 20,800 migrant farm workers in Illinois. *Illinois Farmworkers*, ILLINOIS MIGRANT COUNCIL, <http://www.illinoismigrant.org/programs/farmworkers.htm>. LAF's partner in this effort is the Illinois Migrant Council, which has a contract with the state to conduct outreach to migrant farm workers throughout the state to assist them in applying for SNAP (formerly known as food stamps) benefits. Due to the failure of the state to pay the Illinois Migrant Council for its services, the agency has informed LAF that it will close this outreach program, thereby depriving those extremely low-income, hard to reach households critical financial supports that reduce their food insecurity.

N. **Chicago Coalition for the Homeless ("CCH")** is the only non-profit in Illinois dedicated to advocating for public policies that curb and can ultimately end homelessness. CCH leads strategic campaigns, community outreach, and public policy initiatives that target the lack of affordable housing in metropolitan Chicago and across Illinois. In addition, CCH presses for access to jobs, training, and public schools. CCH's community organizers, policy specialists, and public interest attorneys advocate with people hurt by homelessness, including mothers with children, students, unaccompanied youth, ex-offenders, prostitution survivors, and low-wage workers. CCH's members include over 300 homeless service, homeless youth advocacy, shelter,



and supportive housing providers throughout the State of Illinois, almost all of whom have been harmed by the failure of the Defendants to pay for services under the contract at issue in *ICOY v. Dimas*.

CCH's members have experienced reductions in staff and have been forced to take out lines of credit to keep the remaining staff and programs. The supportive housing programs already anticipated a 50% drop in the state supportive housing budget from 2015. The failure to pay under the contracts exacerbated their financial woes and resulted in immediate staff layoffs.

Sarah Mueller, *Illinois Homeless Caught in Budget Battle*, NPR Illinois, Feb. 23, 2016,

<http://wuis.org/post/illinois-homeless-caught-budget-battle>. Because the City of Chicago advanced funds to many of the Chicago emergency and transitional housing program service providers due to the pass through nature of the funds, those programs have been able to continue to operate.

However, downstate transitional and emergency housing program service providers, homeless youth providers, and supportive housing have had no such advance of funds. Telegraph Staff,

*Data Indicates Homelessness Rising in Madison County*, Alton Telegraph, May 17, 2016,

<https://thetelegraph.com/news/82845/data-indicates-homelessness-rising-in-madison-county>.

After going a year without funding under the contracts, several programs have indicated to CCH that they will have no choice but to close their programs at the end of June 2016.

In a December 2015 survey of 78 homeless service providers throughout the state conducted by the Chicago Coalition for the Homeless, Housing Action Illinois, Corporation for Supportive Housing, and the Supportive Housing Providers Association it was found that the state budget impasse, including the state's impairment and simultaneous enforcement of the social service provider contracts, was causing serious financial hardship for state-funded programs, including homeless service providers, housing counseling agencies working with

homeowners trying to avoid foreclosure, and developers of affordable housing. Chicago Coalition for the Homeless et al., *The State Budget Impasse Is Causing Homelessness in Illinois* Dec. 21, 2015, [http://housingactionil.org/downloads/Housing\\_State\\_Budget\\_Impasse\\_Report\\_122115\\_Final.pdf](http://housingactionil.org/downloads/Housing_State_Budget_Impasse_Report_122115_Final.pdf). As of December 2015, survey respondents reported that 5,458 clients had their services reduced or eliminated. Survey respondents also reported that an additional 2,729 clients will have their services reduced or eliminated if the budget impasse continued through the first quarter of 2016. In terms of how the state budget impasse is impacting the ability of the 78 homeless service providers to operate, 56 homeless services providers report that they have already implemented service reductions, limitations on intake of new clients, program closures and/or staff reductions. The survey also found that 36 homeless service providers planned to implement additional service reductions, impose limitations on intake of new clients, conduct program closures and/or staff reductions during the first quarter of 2016. Three homeless service providers reported that they expect to close completely if the budget impasse continues for significantly longer. These survey results represent just a snapshot of the larger universe of approximately 200 state-funded homeless service providers serving the needs of unaccompanied youth, individual adults and families with children at-risk of and/or experiencing homelessness.

O. **Center for Changing Lives** is a supportive services center located in Chicago's Logan Square neighborhood focused on increasing economic opportunity and providing connections to employment, asset development, work supports, and homeless prevention so low-income individuals can increase wealth and escape poverty. Although it is a citywide program, CCL primarily serves Latino households who reside in the Humboldt Park and Logan Square neighborhoods. CCL receives no state funding directly but is a part of a broader web of services that complements CCL services, so CCL clients can escape poverty and gain income.

Due to the failure of the state to make payments at issue in *ICOY v. Dimas*, necessary mental health and substance abuse treatments are not available to CCL clients, which impede their ability to gain employment. CCL is no longer able to leverage the critical resources its clients need anymore, which has resulted in a stark shift in the agency's day-to-day operations. CCL clients are coming to CCL for emergency triage services that CCL cannot provide, such as mental health counseling and help with paying for housing and utility bills. Indeed, CCL has in many instances no program to send people to address their emergency needs, which erode trust among clients, particularly for the undocumented community. While CCL provides public benefit services, demand is overwhelming due to a reduced number of organizations locally providing this service. CCL is now considering if it needs to change its program's services if this is the long term reality for the state.

P. **Metropolitan Tenants Organization** is a Chicago-based non-profit that educates, organizes and empowers Chicago tenants to have a voice in the decisions that affect the affordability and availability of safe, decent and accessible housing. MTO operates a citywide hotline for renters, assisting over 15,000 tenants a year. MTO also deploys community organizers to work with tenants to improve their housing conditions, prevent homelessness, and preserve affordable housing. However, for the first time in MTO's 31 year history, MTO's hotline is receiving calls from individuals in need of other emergency services, such as mental health counseling, because the mental health agencies are closed or operating with reduced staff and hours due to the lack of payment under the contracts at issue in *ICOY v. Dimas*. Many of these calls are coming from the City of Chicago 311 non-emergency line. MTO's staff lacks the resources and expertise to handle these calls. MTO's hotline has also experienced an increasing number of calls from households on the verge of eviction and homelessness, due to families and

individuals no longer having access to work supports, counseling, and case management. Callers report not being able to complain about substandard building conditions because they are behind in rent already and will likely be evicted if they report the landlord. In MTO's experience, evictions destabilizes families and individuals, causing long lasting trauma, including job loss, educational delays, and health consequences. Many of the non-profits with contracts at issue in *ICOY v. Dimas* operated programs that provided rental assistance to households who were at risk of homelessness. With those programs essentially gone, MTO hotline staff and organizers have nowhere to refer households threatened with eviction and spends more time referring households to area shelters.

**Q. Sargent Shriver National Center on Poverty Law** ("Shriver Center") provides national leadership to promote justice and improve the lives and opportunities of people living in poverty. The Shriver Center advances laws and policies, through litigation, legislative and policy advocacy, and administrative reform, to achieve economic, racial, and social justice for our clients. The Shriver Center works across a range of specific issues, including health care, child care, housing, employment and training, asset building, criminal justice, re-entry, civil rights, early childhood development, and public benefits.

In Illinois, the Shriver Center represents low income clients who seek healthcare and social services, community living supports, and affordable housing to maintain their health and lives in the community. Through our health care team, the Shriver Center works on a daily basis with over 1,800 community professionals who navigate the health care and social services system for low income persons in order to connect them to mental health services, substance abuse treatment services, affordable and safe housing, and home and community based care. These trained Navigators work with clients and patients at hospitals, local health departments,

health plans, community-based organizations, and county and city agencies. As the budget impasse has continued, navigators have been referring clients to the Shriver Center for representation because they are no longer able to access critical services from providers who have contracts with the State but have not been paid for providing services in FY16. These vital services which address the social determinants of health include home delivered meals, adult day services, emergency home response and homemaker services which allow older adults and people with disabilities and special health care needs to remain in their homes and communities instead of relying on institutional care. The increasing closures and reductions of services due to the budget impasse have caused suffering for Shriver Center's clients and have risked increasing unnecessary hospitalizations and institutionalizations for the most vulnerable populations.

The housing team has likewise experienced an increase in requests for legal representation and social service assistance from low-income tenants who are without the benefit of case management supportive services to maintain their housing. The housing team provides specialized housing related legal assistance to victims of domestic violence. Since the budget impasse, referrals from domestic violence programs outside the City of Chicago have decreased, likely as a result of a decrease in programming and staff in domestic violence programs outside Chicago.

R. **Communities United** ("CU") is a grassroots, social justice organization that builds power by developing local leadership and empowering communities to identify and address the root causes of inequity at the neighborhood, city, state and national levels. CU develops institutions and community residents as leaders, convenes broad-based coalitions, and unites people across age, race, ethnicity, income, sexual orientation, gender identity, abilities and religion to advance structural change that concretely improves people's lives. CU's work engages

over 10,000 community residents each year. CU has seen firsthand how its members, many of whom are low-income families of color, want to continue to live independently, are threatened with physical harm and the loss of independence and opportunity by the State of Illinois' failure to make payments for services under the contracts at issue in *ICOY v. Dimas*.

CU works in Albany Park, North Park, Irving Park, West Ridge and Belmont Cragin. The funding lost had an immediate and direct impact on young people in high schools within the CU service area, many of whom had already been promised a job for the summer. These young people, nearly all from low-income, working families, missed an opportunity to gain valuable job training skills to help set them up for future employment, in addition to lost income that would have gone to support many of their families.

S. **Voices for Illinois Children** ("Voices") is a statewide, nonpartisan, multi-issue advocacy organization that is committed to building better lives for children. Voices was founded in 1987 by civic, business, community, academic and philanthropic leaders dedicated to developing and promoting strategies that improve conditions for children throughout Illinois. To do so, Voices engages in a range of activities — including policy research and analysis, policy advocacy, strategic communications, and community engagement — all in support of policies and programs that enhance the well-being of children, families, and communities in Illinois.

Voices understands that the well-being and success of children is not just about education, but about an interconnected array of services and supports that keep them safe and healthy, and that prepare them to be informed and engaged citizens and to succeed in the workforce of the future. It has witnessed the widespread harms of the State's failure to pay the providers of these services and supports — reducing and eliminating afterschool programs, autism

services, bilingual education, developmental therapies for small children, teen parent and pregnancy services and numerous other programs essential to the well-being of Illinois children.

The damage to these support systems and the people that they serve is already severe, Voices is concerned that the worst is yet to come. For example, the Pediatric AIDS Chicago Prevention Initiative, a Plaintiff in this matter that provides anti-viral drugs to pregnant women to prevent the transmission of HIV to their children is in danger of closing its doors. Voices fears that if the State is not compelled to pay on its contracts, what will remain if and when the State finally does pay for past services will be an ineffective fragment of the critical provider network that existed before the State stopped payment.

## **II. NEWS STORIES FURTHER DOCUMENT THE HARM CREATED BY DEFENDANTS' ACTIONS.**

The examples provided by *amici* are just a sampling of the extensive harm caused by the State's actions, and the potential long-lasting effects of such actions on the non-profit community and the communities they serve. Since the budget impasse began almost a year ago, news reports have repeatedly described how the loss of state funds has eroded important networks of community services throughout the state of Illinois.

- The Lessie Bates Davis Neighborhood House ("the Neighborhood House") provides services to meet the long-term physical needs of youth, families, and seniors in East St. Louis, including 300 of the poorest and most isolated seniors in the area. The Neighborhood House is incurring more than \$100,000 monthly in expenses that the state has failed to reimburse, and laid off 117 workers on April 30. The Neighborhood House is also owed more than \$500,000 for non-Medicaid senior services executed under state contract. Even with layoffs and cuts to programs, the Neighborhood House will need to

borrow more than \$1 million to remain open through June 30<sup>th</sup>, and has made the difficult decision to suspend programs assisting seniors with in-home and community care. The Executive Director Bill Kreeb explained that the cuts and layoffs will “have a devastating impact on seniors and homemakers.” Most of the clients served by suspended programs “have no family, no way to prepare their meals, get to the store or do much of anything for themselves. They are used to their caregivers and it will be devastating for them to lose them.” Kreeb also explained that, “What’s really sad is that most of the state has approved all of these contracts for human services and social services... We have signed contracts, but we haven’t been paid a dime since July 1st.” Carolyn P. Smith, *Lessie Bates to Lay off 117 due to State Budget Impasse*, BELLEVILLE NEWS-DEMOCRAT, Apr. 6, 2016, <http://www.bnd.com/news/local/article70359412.html>.

- The Western Illinois Area Agency on Aging (“WIAAA”) is an aging and disability resource center that administers funds and provides volunteer management for social service agencies in 10 northwestern Illinois counties. Executive Director Barbara Eskildsen explained that due to the more than \$1 million of unreimbursed funds, “Our whole network of community focal points – transportation providers, nutrition providers – is... starting to crumble. They’ve used up their line of credit, they’ve used up all their reserve funding, and now they’re without any state funding.” Some WIAAA providers, like the YMCA of McDonough County—which serves more than 2,850 area seniors—have made drastic cuts in services. Others—including a vital transportation service for elderly individuals—have closed. WIAAA also began furloughing employees in April, including employees who recruit and support 1,035 volunteers yearly. As such, the furloughing is likely to have a long-term effect on WIAAA’s ability to serve low-income



people who are elderly or disabled. Michelle Langhout, *"They're Starting to Crumble": Budget Impasse Threatens Senior Services*, CANTON DAILY LEDGER, May 2, 2016, <http://www.cantondailyledger.com/article/20160502/NEWS/160509977>.

- Lutheran Social Services of Illinois, based in Des Plaines, has closed more than 30 programs throughout the state and eliminated 750 jobs since the start of 2016. Six drug and alcohol residential rehabilitation programs offered by the agency in Elgin and Chicago have closed, as have mental health counseling programs offered in Des Plaines, Elmhurst, Downers Grove, Prospect Heights, Wheaton and Villa Park. A respite service program for veterans and their families based in Streamwood is also closing. The programs had been operating without payment from the state at a cost to the agency of close to \$6.5 million, and 4,700 clients have lost services as a result of the program cuts. Lutheran Social Services relied on a line of credit and other resources from its foundation to compensate for the lack of state funding, but could not continue to provide services without the funds owed to them by the state. Barb Hailey, the agency's spokesperson, explained that "We just can't provide these services anymore... [and] it's unlikely these programs will be resurrected when or if the state passes a budget and restores funding." Jake Griffin, *Lutheran Social Services Cuts 30 Programs due to State Budget*, Jan. 22, 2016, <http://www.dailyherald.com/article/20160122/news/160129546/>
- Youth Services Network ("YSN"), which provides services for troubled youths throughout the Rock River Valley, suspended most components of its Comprehensive Community-Based Youth Services—which provided assistance to children who were runaways, abandoned by their parents, or exhibiting out of control behavior—due to unpaid state reimbursements. The state-contracted program provided crisis management

for young people in Winnebago and Boone counties. YSN also laid off 12 full-time staff members has dipped into its reserves to continue funding programs. However, it can no longer afford to help area runaways, lockouts and out-of-control youths. Executive Director Mary Ellen Commare explained that “We’re just trying everything that we can to keep it together,” but “we’ve used all of YSN’s resources that we can use.” She also stated that she’s “not sure what they’re going to do with some kids,” and expects that children in crisis will be taken into police custody or returned to potentially unstable living environments rather than receiving much needed crisis management services. Lindsey Holden, *Budget Impasse Forces Youth Services Network to Suspend Rockford-Area Crisis-Management Program*, ROCKFORD REGISTER STAR,

<http://www.rrstar.com/article/20160321/NEWS/160329922>.

- Redeploy Illinois (“Redeploy”) is a statewide nonprofit seeks to decrease youth incarceration rates by funding local, evidence-based diversion programs in counties across the state. In FY2015, Redeploy kept nearly 500 children out of the state’s youth prisons. However, due to the State’s failure to reimburse Redeploy for contracted services, Redeploy programs in more than 23 counties have been forced to stop accepting new clients or have closed entirely. John Johnson, who is in charge of juvenile probation in Winnebago County stated that, “The ending of the program was like someone else walking away from the families and those kids.” Johnson said that he has already seen children who would have been eligible for Redeploy sent to youth prison, and stated that there are currently other juveniles in county detention who will be sent to the Department of Juvenile Justice due to Redeploy’s absence. Furthermore, Redeploy will not be able to simply resume services if and when funding is restored—the program has already

suffered permanent damage. Johnson explained that he has serious concerns about, “the length of time [Redeploy will be closed]. We’ve already lost staff so it’s almost like re-starting the program all over again.” Patrick Smith, *For Some Illinois Kids, Budget Battle Means Going to Prison instead of Home*, WBEZ CHICAGO, Dec. 22, 2015, <https://www.wbez.org/shows/wbez-news/for-some-illinois-kids-budget-battle-means-going-to-prison-instead-of-home/57ca92fb-9f81-4d4a-8bbf-1bf48e59fffd>.

- The East Side Health District (“ESHD”) provides public and environmental health services in East St. Louis and the surrounding region, and is dependent on state funding for disease prevention, cancer screening, and child and family health. Most consumers in need of these services at ESHD are either ineligible, or unregistered, for Medicare or Medicaid, and thus the release of state funds for Medicare and Medicaid funded programs have not reduced the ESHD’s financial strain. Since the beginning of the budget crisis, ESHD has only received money for federally funded programs. ESHD’s public health administrator Elizabeth Patton-Whiteside, stated, “I have laid off most of my staff. We’re working with just a minimal crew. I’m not seeing the total amount of clients that I’m supposed to see.” Furthermore, Patton-Whiteside is concerned that it is “only a matter of time” before her office is unable to respond to an otherwise preventable disease outbreak due to diminishing resources. A continued lack of state funds could lead to ESHD’s closure and leave a significant number of East St. Louis citizens without basic public or environmental health services. Áine O’Connor, *Illinois Budget Impasse is a Blame Game with Serious Consequences for East St. Louis*, ST. LOUIS PUBLIC RADIO, Oct. 8, 2015, <http://news.stlpublicradio.org/post/illinois-budget-impasse-blame-game-serious-consequences-east-st-louis>.

- Easter Seals provides services for families, people with disabilities, and the families of people with disabilities. The Easter Seals office serving the Rockford area is owed approximately \$400,000 for services provided under state contract, and has suspended and substantially reduced programs. Hardest hit are programs providing assistance to parenting teens and programs providing services to children with autism spectrum disorders. These cuts have impacted approximately 6,000 clients in the Rockford area. Last year, the now suspended teen parenting home visit program made 2,000 home visits to women for maternal, infant and early childhood care in the Rockford area; such visits will not be possible this year. While Easter Seals was able to obtain private funding to cover a limited number of programs for children with autism spectrum disorders, Lori Davie, Manager of the Easter Seals Autism Program, stated that even with this additional funding, children “are going undiagnosed or they're going on very long waiting lists and they're also receiving services outside of our community.” *State Budget Impasse Hurts Easter Seals' Teen Pregnancy Program*, STATELINE NEWS, Mar. 31, 2016, <http://www.mystateline.com/news/state-budget-impasse-hurting-easter-seals-teen-pregnancy-program>; Breane Lyga, *Illinois Comptroller Meets with Rockford Non-Profits Struggling without State Funding*, May 18, 2016, <http://www.wrex.com/story/32011076/2016/05/18/illinois-comptroller-meets-with-rockford-non-profits-struggling-without-state-funding>.
- The Child Abuse Council (“CAC”) provides child abuse prevention, education and treatment programs for children and families located in Moline and surrounding areas. In 2015, CAC provided ongoing, intensive therapy for 90 children who are survivors of physical abuse, sexual abuse, trauma, and/or neglect and conducted more than 2,700

home visits. CAC is owed approximately \$300,000 for services performed under contract with the state and has had to make substantial service cuts and create a waiting list for essential home visit and therapy services. CAC has already accrued a significant waitlist for vital therapeutic services—as of the end of March nearly 50 child survivors under the age of 5 have been placed on a waitlist for therapy and supportive care. Angie Kendall, Director of Development and Communications for CAC stated that, “Our job is to keep children safe and... the barrier is the budget right now,” she also explained that, “there aren't any more cuts we can make and still provide services for our community.” Sarah Tisinger, *Budget Impasse Means Cutting Services for Abused and Neglected Children*, WQAD QUAD CITIES, Mar. 17, 2016, <http://wqad.com/2016/03/17/budget-impasse-means-cutting-services-for-abused-and-neglected-children/>; Sarah Greene, *Child Abuse Council Impacted by Illinois Budget Impasse*, OUR QUAD CITIES, Mar. 18, 2016, <http://www.ourquadcities.com/news/child-abuse-council-impacted-by-illinois-budget-impasse>

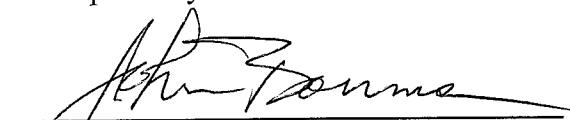
These tragic stories provide ample evidence of the urgency of the Plaintiffs’ predicament due to the Defendants’ actions: they cannot provide services to the populations their programs were designed to serve and by failing to do so, the trust they have developed with the individuals and families in need has been permanently eroded.

### **CONCLUSION**

For the reasons set forth above, *amici* respectfully urge this Honorable Court to issue injunctive relief to Plaintiffs requiring that Defendants pay the outstanding amounts owed on their contracts, thereby ensuring that the populations served by *amici* continue to receive critical social services.

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Respectfully Submitted



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