

PROTECTION OF LEGAL RIGHTS

In a third part, the ADA prohibits discrimination on the basis of disability by public accommodations (private persons or businesses that own, operate, or lease to a place of public accommodation) to full and equal enjoyment of goods, services, facilities, and accommodations (for example, hotels, restaurants, shopping centers, retail stores, doctors' offices, libraries, parks, theaters, and pharmacies). Removal of existing barriers for access to places of public accommodation is required unless removal is too expensive and difficult, in which case alternative means of enjoying and receiving the goods and services must be provided.

The above requirements of the ADA are also substantially required under Section 504 of the Rehabilitation Act of 1973 and are enforceable against any person or entity that receives federal financial assistance.

The Virginians with Disabilities Act (VDA) has many similar provisions to the ADA. Rights under the VDA are enforceable in a Virginia circuit court.

Further information regarding any of the above laws or other laws protecting individuals with disabilities may be obtained from the Virginia Board for People with Disabilities at 202 North 9th Street, Richmond, VA 23219, (804) 786-0016; or you may contact the Virginia Office for Protection and Advocacy (VOPA), a state agency that provides protection and advocacy services for individuals with disabilities, toll-free at (800) 552-3962 (in-state calls only), at (804) 786-0016 in the Richmond area, or in writing at 11910 Byrd Avenue, Richmond VA 23219, (804) 225-2042.

Grandparent Rights to Visitation and Custody

Virginia law authorizes any party having a legitimate interest in a minor (including grandparents specifically) to file a petition in juvenile and domestic relations district court seeking visitation or custody of the minor. The juvenile court has broad direction as to whether to grant visitation or custody.

Your Area Agency on Aging or your Local Legal Aid office may give you further assistance or referral on visitation and custody issues.

Elder Abuse

In 2003, there were almost 12,000 reports of adult abuse, neglect, or exploitation in Virginia, and investigations proved about 60% were valid. Often, however, elderly persons are reluctant to report abuse. The problem is complicated because elder abuse, neglect, and exploitation are sometimes hidden problems which are difficult to address.

What Is Elder Abuse?

The term "abuse" is used to describe the act of intentionally hurting someone. Elder abuse (Section 63.2-100 of the *Code of Virginia* defines "adult abuse," "adult exploitation" and "adult neglect") can take many forms. It may be sexual abuse, financial exploitation, emotional abuse, or confinement. Elder abuse may involve physical violence against an older person. It may also involve the deliberate neglect by a caregiver of the medical, health, and nutritional needs of a vulnerable older person.