

## Elder Law

Elder law is one of the few areas in law that is defined largely by the clients served. Elder law is growing rapidly, because our population is growing much more quickly at the upper ends of the life span. An elder law practitioner needs to know both the types of legal issues that older clients often face as well as how to provide elder-friendly services. While older clients can face virtually all of the issues younger people can, there are some common questions that are most often important to older clients. These include matters such as:

- ❖ Planning to receive needed care and support in medical and housing matters, whether through governmental programs such as Medicaid or private pay
- ❖ Protecting one's wealth from financial exploitation
- ❖ Life planning, such as advance medical directives and durable powers of attorneys
- ❖ Estate planning, weighing the benefits of wills, trusts, transfer on death (beneficiary) designations, and other means
- ❖ Planning to continue support for family members who need assistance in administering their affairs
- ❖ Planning to protect oneself against possible later incapacities
- ❖ Administering the affairs of loved ones who have died or become incapacitated

There are some problems common to older persons that not all elder law attorneys commonly handle. For example, older consumers are much more likely to be victims of unfair and deceptive practices than younger consumers. I am a former chair of the Consumer Law Section Council of the State Bar of Michigan and taught consumer law at Cooley Law School.

Unlike the medical profession, we do not have the equivalent of board certification in law. It can be a challenge to tell which attorney really has the skills and experience needed for your particular concerns. One of the best ways to tell is to see who is chosen by her or his peers for leadership positions and education. I am a former chair of the Elder Law and Disability Rights Section of the State Bar of Michigan and have held various other offices. I am also a frequent presenter and writer on elder law topics. The State Bar has often encouraged the news media to contact me when a topic dealing with the elderly or persons with disabilities is in the news.

An elder-friendly environment is critical for success, also. There is considerable age bias in our society. I am amazed at instances where a son or daughter accompanies an older parent to a meeting and all of the communication is addressed to the child, as if the parent couldn't speak or understand. Sometimes material is written in a small font size or in poor contrast that makes it difficult for older eyes to process. My focus is on helping the older client. In general, this is best done through working with others in the family, but the primary focus has to be on the actual client.