

WHAT IS AN ELDER LAW ATTORNEY?

HOW DO YOU FIND ONE?

An elderly attorney is an old lawyer.

An elder law attorney can be young or old, as long as he practices elder law.

What is elder law? Elder law primarily addresses the special legal needs of the elderly. The practice of elder law includes government benefits planning in the areas of Medicare, Medicaid (ALTCS in Arizona), Social Security and the Veterans Administration. The practice of elder law also focuses on long term care planning and addresses legal issues related to capacity including guardianship and conservatorship proceedings. Estate and gift planning as well as retirement planning are also typical areas of concern for the elderly. In addition, age discrimination in employment or housing may also be a concern. An elder law attorney's client may also be experiencing physical abuse or financial exploitation. Some elder law attorneys provide litigation services for abused or exploited seniors. Finally, senior citizens residing in a nursing home may need assistance regarding their rights while in the home or upon their discharge.

Planning for parents with disabled children is also offered by many elder law attorneys because of their familiarity with public benefits such as Medicaid and Supplemental Security Income. Developing and administering a special needs trust for a disabled child is a service offered by some elder law attorneys as a subspecialty area within the elder law attorneys practice.

In addition to concerning himself with the special legal needs of the elderly, an elder law attorney must be prepared to make appropriate referrals for placement and services in the community. He should be familiar with respite care, adult day care and hospice. He should have at his fingertips the names of solid, trustworthy professionals including insurance advisors, financial planners, accountants, geriatric care managers, psychiatrists, geriatric physicians and neurologists, among others.

Above all, an elder law attorney must be respectful, patient and compassionate in providing advice to his senior clients. Often the elder law attorney's office is the last stop after a client has made many visits to other well-meaning but unhelpful attorneys who do not have sufficient knowledge in the area of elder law.

How do you find an elder law attorney? The best way is by referral. Ask the people who work in the area of elder services, including for example social workers at hospitals, nursing homes or adult day care centers, geriatric care managers, geriatric physicians, neuropsychologists and neurologists. Organizations that focus on the needs of seniors such as the Alzheimer's Association and the Area Agency on Aging are also appropriate sources for referrals. The web site for the National Academy of Elder Law Attorneys ([www. Naela.org](http://www.Naela.org)) allows you to search for elder law attorneys by name, location, and area of practice. Finally, and least reliably, you can find lawyers listed in the Yellow Pages under the practice heading of Elder Law.