

This article is reprinted with permission of Family Care America, at <http://www.FamilyCareAmerica.com>, a nationally recognized resource that provides families with interactive care planning tools, resource locators and helpful checklists to make caregiving easier. The company also provides corporations with a Work/Life program for employed caregivers. For more caregiving information, visit them on the Web.

### **What is Elder Law?**

Many families face an uphill climb when it comes to making sense of an elderly relative's legal and financial situation. In such instances, enlisting the services of an elder law attorney can be a good idea, because these lawyers deal almost exclusively with advance medical directives, elder abuse and fraud, insurance, and other topics specifically relating to seniors and caregivers. Elder law attorneys have a greater understanding of the specific issues and limitations that seniors-and their families-face every day.

Elder law attorneys specialize in a variety of areas, including:

- Medicaid or Medicare claims and appeals
- Social Security and disability claims and appeals
- Supplemental and long-term health insurance issues
- Disability planning (i.e., durable power of attorney, living trusts, living wills, etc.)
- Conservatorships and guardianships
- Estate planning, including wills, probate, and trusts
- Administration and management of trusts and estates
- Long-term care placement
- Nursing home issues such as patients' rights and nursing home quality
- Elder abuse
- Housing issues (including age discrimination)
- Employment issues (including age discrimination)
- Retirement, including public and private retirement benefits and pension benefits
- Health law
- Mental health law

To find an elder law attorney, try contacting one of the following organizations:

- Alzheimer's Association
- American Association of Retired Persons
- Children of Aging Parents
- Health Insurance Association of America
- National Citizen's Coalition of Nursing Home Reform
- Older Women's League
- Other attorneys

- Social Security Office
- State Civil Liberties Union
- State or Local Bar Association
- Hospital or Nursing Home Social Service Department

When interviewing an elder law attorney, be sure to ask if he or she is a member of the National Academy of Elder Law Attorneys (NELF). The CELA certification given by the NELF shows that the attorney has been practicing in the area of elder law for at least five years and maintains an in-depth, working knowledge of elder law. The certification is given only after a comprehensive exam and is not held by many lawyers nationwide. (It should also be noted, however, that the states of Colorado, Illinois, Massachusetts, Missouri, Nevada and Ohio do not recognize any certificates, including the CELA.)

Copyright 2001, FamilyCare America, Inc. All Rights Reserved. For more caregiving information, please visit <http://www.FamilyCareAmerica.com> on the Internet.