Spring 2013: Elder Law Clinic cancelled and new “Law and Aging” offered.

A new elective course, Law and Aging, is being offered for the spring of 2013 and carries 2 credits. (For 3 credit option, see below.) The enormous number of baby-boomers has greatly increased the demand for elder law expertise. Lawyers who particularly need elder law knowledge include those in general civil practices as well as those in health law, estate planning, and employment law.¹

The clinical course entitled “Elder Law Clinic” will not be offered for the spring. This is due to the loss of office space in the medical center, where the clinic has been located. The clinic will move to the law school and resume in the fall of 2013.

Law and Aging: Intensive: Four students can take the course for 3 credits, which involves a practical component. Under the Clinical Professor’s supervision, these students will represent older clients on a range of issues such as preparation of powers of attorney and wills, advice on legal rights regarding consumer debt, and guardianship law (including brief court matters). The practical experience would begin in February and would require that the students be eligible for certification by the N.C. State Bar.

• Students who take the Law and Aging course (for 2 or 3 credits) will not be able to sign up for Elder Law Clinic (the 4 credit course) in 2013-14.

• There are no prerequisites for Law and Aging or for the Elder Law Clinic.

Topics in the “Law and Aging” course may include:

• What is elder law and why has it developed?
• Legal tools for incapacity planning (powers of attorney and advance medical directives).
• Professional ethical issues in elder law.
• Legal intervention upon incapacity: guardianship laws and federal programs.
• Medical perspectives on mental capacity.
• Housing issues of older adults.
• Medicaid coverage of long term care and Medicare basics.
• Long term care insurance.
• Nursing home law: residents’ rights laws and negligence litigation.
• Planning for the small estate.
• Abuse and neglect: civil and criminal remedies.
• Consumer issues.

¹ The new course will be taught by Clinical Professor Kate Mewhinney, who has managed the law school’s Elder Law Clinic since 1991. She is a Board Certified Specialist in Elder Law, recognized by the N.C. State Bar Board of Legal Specialization and the National Elder Law Foundation.