Clients are coming into the law school for legal help, which is a first for Wake Forest University. The Elder Law Clinic is up and running on the university's main campus, a convenient location for students.

Much has changed since the Elder Law Clinic started in 1991. The law school now offers several community-oriented programs taught by clinical faculty. These clinics give students practical experience in business law, criminal law, appellate law, and children’s law. Complementing the clinics are a wide variety of externships and a robust pro bono program.

In the Elder Law Clinic, the unpredictability of real client cases kept the clinic students on their toes. They honed their interview skills, navigated complicated legal rules, and counseled clients about the wisdom of different options. These eight “associates” were hard working, compassionate and creative!

“Local Clinic Fulfills an Urgent Community Need”

The Elder Law Clinic was the subject of an editorial in the Winston-Salem Journal, cited as a valuable service for elders:

Every day in America, 10,000 baby boomers turn 65, creating a greater demand for elder law. Our legal system can be a confusing thicket of information for the sharpest among us; the issues confronting those approaching the later stages of life can be baffling.
Parent = Piggy Bank?

Adult children can be a bit pushy and greedy. As one student put it, “They treat her like their piggy bank!” In the field of elder law, professional ethics and judgment play an important role in preventing undue influence. It’s not enough to just know the law. Consider these stories below.

A client’s son brought his mother to see Alice Hicks. The client had signed a power of attorney several years ago appointing her two daughters to help with finances. She now has mild memory problems and insists she never understood the power of attorney; however, the document was prepared by the Elder Law Clinic, where we are careful to explain documents before clients sign them. The client now claims that her daughters are not at all helpful and her unemployed son is now the perfect child, despite his criminal record! Alice investigated the situation and advised against revoking the power of attorney. The client was not happy with this – nor was her son.

Ben Limehouse recommended caution in another case. His client had an old will leaving everything to his wife and if she predeceased him, the property would be equally divided between their five children. He and his wife also had appointed two of their children to help with financial and health care decisions.

The client’s wife passed away recently, so he came to the clinic. One son plans on moving in with him, promising to help. Based on this promise, the client said he wanted a new will leaving everything to this son. The son claimed his siblings are not at all helpful. This complete turnaround seemed odd to Ben. He detected that the father was being pressured, so he recommended against changing the will. “Let’s see what your son does to help you and then talk again next year!” The father seemed relieved at this advice. He wanted Ben to tell the son, another sign that the son might have been a bit heavy-handed with the father.

He Needs a Place to Live

The #1 priority for Elizabeth Vance’s client was her son. She wanted her will to provide that he would always have a home. He has mental health issues. Giving a “life estate” is a fairly common request by clients who have a dependent relative. Complicating this case, though, was the fact that the client’s real estate title is shared with her ex-husband. Elizabeth researched laws on property partition and checked with the zoning board to see if she could get the title in her client’s name alone.
COMMUNITY THANKS

♦ We especially appreciated Lauren Karp’s demeanor and her genuine interest in our situation. Our family is very appreciative of your services and assistance. Without you, we would continue to be at a loss regarding our options. Now we have some direction.

♦ Ben Limehouse was patient in answering questions and giving explanations. He was very understanding of Mom’s special needs.

♦ The Clinic’s service is very professional. Megan Endersby is so caring and explained things thoroughly.

♦ Jenica Cassidy was quite personable and took a real interest in me and my needs. She was responsive and knowledgeable.

♦ Elizabeth Vance did a very good job explaining things to me. I was going to send her a card and tell her how pleased I was with her. She is a sweet person.

♦ I felt at ease from the beginning with Alice Hicks.

¡GRACIAS!

This retired hospital employee came to the Elder Law Clinic for a will and power of attorney. Lauren Karp met with her several times. Special thanks to Zabrina Delgado, a first-year law student, who translated from Spanish.

ALUMNI RETURN TO WFU LAW

Career panels about various fields of practice took place at the law school recently. A panel about elder law featured these alumni, below, who practice in the Triad area of North Carolina: Angela Kreinbrink ('06), Aimee Smith ('02) and David McLean ('99).

VOTER ID: SUPPRESSING VOTING OR PREVENTING FRAUD?

The N.C. legislature recently passed a law that requires a photo ID to vote. Jesse Hynes researched how this would affect older, low-income citizens. He learned that older people are 18 percent of active voters but 26 percent of those without ID.

Jesse contacted two groups working on voting rights issues, Democracy N.C., and the N.C. Center for Voter Education. The Clinic is exploring ways to collaborate with these organizations and others to help older people get what they need to vote.

For the things we have to learn before we can do them, we learn by doing them.
— Aristotle
MORE EXPERIENTIAL LEARNING

Alice Hicks will work at the Pension Benefits Guaranty Corporation (PBGC) next semester through the D.C. externship program. She was a pension benefits actuary before law school.

Julianna O’Neill has been a leader in public interest work, co-chairing the school’s Pro Bono Project. She will spend a semester at the International Justice Mission (IJM) in Washington, also through the externship program, tackling issues of slavery, sexual exploitation and other forms of oppression. E-Clinic alumnus Blair Burns ('00), serves as IJM’s Director of Operations for Southeast Asia.

Tiffany Tyler has opened an elder law practice in Asheville, NC. She saw clients at Senior Services of Winston-Salem before graduating last May.

A BIRD’S EYE VIEW

Jenica Cassidy was thrilled to work at the ABA Commission on Law and Aging in D.C. during the summer of 2013. While there, she wrote articles for the Commission’s newsletter about guardianship restoration and end-of-life legal issues.

In the Elder Law Clinic, Jenica gained more experience on policy development. She helped the Kaiser Family Foundation evaluate how well our state is providing non-institutional services to disabled elders. Jenica gathered data showing that many people are on waiting lists for home- and community-based services, despite meeting eligibility criteria. The waits often exceed a year, leaving elders and their families with tremendous burdens.

While in the clinic, Jenica handled three guardianship cases. She also gave a talk about legal issues to the Early Journey Support Group, an innovative program for people with early memory loss and their family members. It is directed by Ed Shaw, M.D., M.A., of the Sticht Center on Aging at Wake Forest Baptist Medical Center.

A MEDICAL PARTNER

A high point of the semester was a class taught by Shenita Spencer, M.D., of Wake Forest Baptist Medical Center. Dr. Spencer has completed a geriatrics fellowship and is doing a palliative care fellowship. She gave the law students an overview of mental capacity issues of older patients, and addressed common misunderstandings about end-of-life medical care. Her energy and dedication were inspiring.

Clarification from Alice Hicks.

COMMUNITY EDUCATION

Lawyers can do more than help individual clients. They can share information through public programs, such as one presented by Megan Endersby at a library. She talked about legal tools for planning ahead and even fielded questions from a retired lawyer. Her teaching background makes her a good communicator.
**REFLECTIONS ON MY SEMESTER**

- I have loved my semester in the Elder Law Clinic. My favorite part was meeting the clients and hearing their stories. From a tattooed World War II veteran to a delightful, quirky lady who loves her pets more than people, every client interaction has been a unique experience. The Elder Law Clinic has taught me about the power of real time communication through in-person meetings and phone calls.

- Clinic has given me something that I have not been able to get anywhere else in law school—client interaction. This interaction has reminded me of why I came to law school in the first place, to work with people to solve their problems.

- What I did not expect was the complexity of situations and family dynamics. In one case, my client had signed his home over to his children years ago, keeping “lifetime rights.” Now he needs money to make repairs and his children won’t co-sign a loan for him or lend him the money themselves. If he had just willed the house, this would not have been an issue. Because so many years have passed since the deed was signed, he has no legal recourse.

- When I started the semester and met my first client, I was probably more nervous about meeting her than she was about meeting me. But as the semester progressed, I became more comfortable working with clients and their families. I also became more confident in my ability to explain legal documents and concepts. With this confidence came personal reassurance that I can, in fact, someday be a lawyer outside of the theory-based classrooms of law school.

- The Elder Law Clinic has, by far, been the most useful and practical class I took at Wake Forest. I have to admit, though: I really enjoyed hearing about all the drama in our clients’ lives. Living six or more decades really produces some crazy stories!
I hear and I forget.
I see and I remember.
I do and I understand.
-Confucius

Juliana O’Neill and her client review the details.