LEARNING THE REALITIES OF THE LAW

Talking to people face to face about new legal concepts can be scary. You have to make the other person comfortable, hear out their concerns and slowly introduce some complicated information. Our clinic students took on this challenge and are better prepared to become lawyers.

“My confidence in my ability to be a professional has grown tremendously,” wrote clinic student Sharon Ukodie. But this learning is tempered by some down-to-earth realities.

As student Marcus Fields observed, “You have to work with the client you have. You can’t always persuade them to take your advice.”

Rebecca Daddino found it sobering to have a client with no close friends or family to make decisions if she became ill. Tapping community resources proved helpful.

The students’ expectations of older clients also evolved. When he met with a frail nursing home resident, Alec Roberson was struck by how sharp she was. Despite her weak appearance and difficulty communicating, Alec patiently interviewed her and learned that, “She knew her pension down to the penny!”

Tim Lewis experienced the value of persistence. His client was having taxes garnished from her already low Social Security check. Tim went through many channels to figure out a way to wipe the tax slate clean.

Every client gives our students an opportunity to learn. Every complicated family situation and complex law engages and educates them. The Elder Law Clinic is proud of 25 years of providing older adults with capable and compassionate lawyers.
CLINICAL PROFESSOR KATE MEWHINNEY

- Gave several presentations this spring:
  ◇ The N.C. Guardianship Association on “Guardianship and Elder Exploitation: New Developments.”
  ◇ The Triad Health Project, on “LGBT Rights in Health Care Settings.”
  ◇ Queens University Estate Planning Day, on “Cognitive Impairments: Ready or Not, Here They Come,” with Charles Edwards, II, M.D.
  ◇ 11th Annual Erik Lie-Nielsen Geriatrics Symposium, on “Advance Directives: Medical, Legal and Ethical Dimensions.”

- Was on the planning committee for the "Aging Re-Imagined Symposium" at Wake Forest University. This multidisciplinary event was attended by over two hundred people and took place over a two-day period.

- Was a volunteer attorney for NCBA 4All, the free “call-a-lawyer day” put on by the N.C. Bar Association.

ELDER LAW CLINIC CELEBRATES 25 YEARS

Since 1991, the Elder Law Clinic has provided free legal services to the community in Forsyth and surrounding counties. The clinic is a program of Wake Forest School of Law, where students get practical experience under the supervision of an attorney.

The students get training in the general civil practice of law with an emphasis on the growing field of elder law. The clinic gives students direct experience representing clients in a range of matters, including wills, guardianship, fraud and Medicaid.

To be a client of the Elder Law Clinic, a person must be at least age 60. Also, they must have an income of less than $1,800 per month for a household of one, and less than $2,400 per month for a household of two.

Need help? Visit www.elder-clinic.law.wfu.edu for legal resources or call (336) 758-5061 for an application.
COMMUNITY SERVICE FROM THE CLINIC TO THE COURTROOM

- “Even though the things we were discussing were emotional for me, Alec Roberson was very patient and guided me through the necessary papers.”

- “Tim Lewis was friendly and professional. He will be a good lawyer…. one that is not a crook.”

- “I particularly liked how well Brandy Davis explained every procedure in detail. Thank you very much for your service, Wake Forest!”

- “Marcus Fields was caring and understanding. If there was something he was not sure about, he asked someone else. I really appreciate the Elder Law Clinic and Wake Forest University for helping the community. A real class act and standard of excellence!”

- “Thank you to Jenna Google for answering all my questions and making everything so clear. I never felt rushed.”

- “Crissy Dixon was friendly and down-to-earth. She was so good about accommodating my need for her to speak to me slowly. She also knew the law well and could explain things clearly. Your program is wonderful!”

A light moment with Rebecca Daddino.

A home visit from Tim Lewis.

Sharon Ukodie helps Wake Forest faculty and staff with advance directives.

Alec Roberson at a guardianship hearing with the Forsyth Co. Assistant Clerk of Court Rick Pender.
THE PING-PONG PARENT

As we age, our adult children—if we are lucky—get more involved in our lives. But sometimes this doesn’t work well.

As elder law attorneys, our job is to assist the older adult and only involve the children if the client wants us to. We are also careful about undue influence or exploitation.

Alec Roberson faced such a situation. His client wrote, “My wife passed and my daughter and her husband were taking over me. But when I met with Alec in the clinic, he listened to me and backed me against them. He was very nice and saw my daughter was not there to help me like my other children. She was just for herself!”

COURT ADVOCACY

Creative advocacy by Brandy Davis helped her client. The man had had a brain aneurism many years ago and was cared for at home by his siblings.

But due to their own health problems, his siblings could no longer handle this responsibility. They filed a court action to have their brother declared incompetent. Brandy presented a video at the court hearing, showing the man in his home. She persuaded the court to enter a limited guardianship, retaining rights for the man despite having a guardian appointed.

THE MEDICAL SIDE

A few students were able to observe the medical side of elder law when they visited the Kate B. Reynolds Hospice home.

They toured the facility and learned from Dr. Mark Corbett about the challenges of end-of-life care and how doctors rely on the law to navigate many of those challenges. Seeing the medical side helped the students understand the importance of advance care planning.

JENNA ON THE JOB

Having an undergraduate degree in finance is one reason that Jenna Google was assigned a dispute with a credit union. Her client had been the victim of an internet scam and the credit union refused to use consumer protection rules to address the situation.

Jenna researched the “red flag rule,” which puts some responsibility on the financial institution to look out for scams, and filed a complaint for her client with the state’s Credit Union Division.

GOT ELDER LAW?

Law firms in need of an associate or summer clerk to meet the growing demand for elder law expertise can contact Prof. Kate Mewhinney at mewhinka@wfu.edu.
I’ve been working out for six months, but all my gains have been in cognitive function.

Caroline Knox (’00) has become president of the Van Winkle Law Firm, which has over 35 attorneys, and offices in Asheville, Charlotte and Hendersonville.

Natalie P. Miller (’04) has been elected to serve as the 2016-17 Chair of the Elder Law and Special Needs Section of the N.C. Bar Association, which has about 500 members.

Liz Osborne Lawrence (’11) has opened a firm focused on elder law, estate planning and special needs planning. Her office is in Decatur, GA.

Jasmine Pitt (’15) joined the Winston-Salem firm of Bennett & Guthrie, where one of her cases involves a challenge to a will. She writes, “I learned in the Clinic to thoroughly document all meetings and interactions with clients to prevent disputes down the road and to support any decisions I make. Even outside of the elder law environment, the drafting and analysis skills I developed in the Clinic have served me well.”
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