

LAW C148: ELDER LAW

Item	Value
Top Code	140200 - Paralegal
Units	1.5 Total Units
Hours	27 Total Hours (Lecture Hours 27)
Total Outside of Class Hours	0
Course Credit Status	Credit: Degree Applicable (D)
Material Fee	No
Basic Skills	Not Basic Skills (N)
Repeatable	No
Grading Policy	Standard Letter (S), • Pass/No Pass (B)

Course Description

Substantive and procedural law and federal, state, and administrative regulations, as they pertain to the senior population, including Social Security, Medicare, Medi-Cal/SSI, funding sources, pensions, residential and/or long term care, and applicable probate statutes. ADVISORY: LAW C100 or LAW C142. Transfer Credit: CSU.

Course Level Student Learning Outcome(s)

1. Evaluate the role of the paralegal and the ethical issues applied to estate planning and elder law procedures based on a given fact situation.
2. Assess, examine, and prepare the court documents to commence and prosecute legal actions to protect an elderly client when given a specific fact situation.
3. Analyze, evaluate, and distinguish issues facing the elder client, including capacity, abuse, finances, insurance, Medicare, and contracts, when given a specific fact situation.

Course Objectives

- 1. Define elder law
- 2. Identify ethical issues related to elder law.
- 3. Describe and differentiate advance directives and powers of attorney.
- 4. Describe the conservatorship process.
- 5. Explain the purpose of a guardianship.
- 6. Explain the entitlement to and calculation of retirement benefits.
- 7. Describe how disability benefits are calculated.
- 8. Explain geriatric medicine.
- 9. Identify HIPPA issues as it relates to an elder.
- 10. Describe the benefits provided under Medicare.
- 11. Identify issues arising under Medicaid.
- 12. Explain the process for protecting elders from abuse, neglect, and financial exploitation.
- 13. Describe housing issues that arise for elders.
- 14. Discuss financial matters as they relate to elders including retirement plans, annuities, insurance, bank accounts, and taxation.
- 15. Describe end of life issues including the right to die, funerals, and dealing with grief.

Lecture Content

Introduction and Course Overview – 3.5 Hours
 Whats Elder Law. Aspects of Aging Ethical Considerations Healthcare for the Elderly – 3.5 Hours
 Insurance Sources of Assistance Financing Ethical Considerations
 Employment/Income Issues – 3.5 Hours
 Age Discrimination Employment Act Veterans Benefits SSI Pension Plans Other Assistance
 Conservatorships – 3.5 Hours
 Court Procedures Disabled Adults Ethical Considerations
 Estate Planning – 3.5 Hours
 Property Wills Trusts Estate Taxes Insurance Ethical considerations
 Elder Abuse – 3.5 Hours
 Definition Legislation Victims of Crime Protective Services
 Other Resources Ethical Considerations Assistance for the Elderly – 3.5 Hours
 Federal and State Older American Act Other Resources Ethical Considerations Examination – 2-3 Hours

Lab Content

Students will work on completing the necessary forms for a Conservatorship or other proceeding associated with an elder law action.

Method(s) of Instruction

- Lecture (02)
- DE Live Online Lecture (02S)
- DE Online Lecture (02X)

Instructional Techniques

Multiple methods of instruction will be used to enhance student understanding of the paralegal profession. Lectures, discussions, forums, interactive activities, and group projects will be utilized to facilitate the learning process. This class requires the use of various methods of audio visuals such as PowerPoint presentations, audio, and video.

Reading Assignments

Students will read from the course textbook as well as any other primary and/or secondary readings assigned by the instructor.

Writing Assignments

Students will be required to complete written homework assignments, prepare documents related to an elder law action, and write essays on the exams.

Out-of-class Assignments

Outside of the classroom students will complete the required readings; work on assigned papers, reports, and projects; study for tests; conduct research; and communicate with the instructor and/or fellow students through telephone, email, discussion boards, or virtual chat.

Demonstration of Critical Thinking

Critical thinking will be demonstrated through written assignments, essays on exams, papers, and projects.

Required Writing, Problem Solving, Skills Demonstration

Group participation assignments to develop a compete case for a Conservatorship or other applicable elder law proceeding, including application of interviewing skills this can be structured as an individual assignment if group participation is not available

Eligible Disciplines

Law: J.D. or LL.B NOTE: Courses in aspects of law for application to a particular discipline may be classified, for minimum qualifications purposes in the discipline of the application. Masters degree required.

Textbooks Resources

1. Required Vietzen, L. Elder Law for Paralegals, ed. Aspen, 2011

Rationale: There are very few Elder Law textbooks available. This textbook covers the essential concepts which is still pertinent. The instructor can update the text with any necessary materials. Legacy

Textbook Transfer Data: Legacy text

Other Resources

1. Instructor developed materials prepared in advance and available to students through the book store 2. or a comparable text selected by the instructor and approved by the paralegal department. 3. Coastline Library