

Multidisciplinary Partnerships

Within the Context of Need: Harlem Project Combines Legal, Psychiatric Services

By Ray Brescia

For most people, eviction or loss of income can lead to hardship of one form or another. For an elderly individual with a psychiatric disability, such an event can be catastrophic and can lead to a devastating string of collateral consequences—from hospitalization to homelessness, and even death. Despite the tremendous need, elderly individuals with

psychiatric disabilities face a profound shortage of free legal assistance, and even fewer opportunities for assistance that is sensitive and tailored to their special needs. For those elderly who have difficulty traveling, or who are receiving institutional care, accessing free legal services can be a monumental, if not impossible, task.

In most, if not all, cases, the legal problems faced by these elderly individuals are intertwined with other aspects of their lives. It is often the case that an individual facing eviction has become more symptomatic in the months leading up to the legal crisis. The client's capacity to organize his life and comply with requirements—like paying rent bills on time, if at all—is more than likely to have been deteriorating

Continued on page 2

Ray Brescia is a project director at the Urban Justice Center, a not-for-profit legal services organization based in New York City.

Multicultural Legal Services

Senior Nutrition Program Adds Legal Issues to Menu for Latino Elders

By Angie King

San Luis Obispo County lies on the coast of California, about half way between San Francisco and Los Angeles. It is predominately rural and agricultural. There is, however, a large number of senior citizens who have retired there. San Luis Obispo County has a higher percentage of seniors among its population than the state average. At least one third

Continued on page 8

We've changed our name,

**Effective September 1, 2002,
our new name is the
ABA Commission on Law and Aging.**

not our mission.

The ABA Commission on Law and Aging is dedicated to examining the law and policy issues affecting older persons and to improving legal services for the elderly. To learn more about the ABA Commission's current projects, research, and publications, log on to the Internet at www.abanet.org/elderly.

WHAT'S INSIDE? Meet the New Commissioners for 2002-03 (page 3), Shape the Debate for Seniors (page 5), and Take Our Reader Satisfaction Survey (page 11).

Continued from page 1

or diminishing in the time period preceding the crisis. While an attorney might find some way to delay an eviction temporarily, the client's psychological state remains and will likely lead to similar problems in the future.

In an effort to address the legal problems of this difficult-to-serve population within the context of their greater needs, the Mental Health Project (MHP) of the Urban Justice Center (UJC) in New York City, in conjunction with the Psycho-Geriatric Program of Harlem Hospital and Columbia Law School's Public Interest Program, developed a project that linked attorneys and law students with social work and psychiatric staff. Supported by a grant from the Partnerships in Law and Aging Program, with funding from the Albert and Elaine Borchard Foundation Center on Law and Aging and the Marie Walsh Sharpe Endowment, the project aimed to provide holistic, or interdisciplinary services to elderly outpatients of Harlem Hospital's geriatric psychiatry depart-

ment. These services would include legal assistance on such matters surrounding housing and housing conditions, access to benefits, guardianships, living wills, and estate matters. The overall objective was to develop a continuum of care for the hospital's elderly outpatients in order to help them maintain their dignity and self-sufficiency and avoid the cruel consequences of systems that all too often overlook their needs.

The Partners

Urban Justice Center

The UJC has provided legal services to the poor and marginalized populations in New York City for eighteen years. Through their commitment to community-based outreach, UJC has been able to provide legal assistance to tens of thousands of clients to prevent eviction, gain access to Social Security benefits, and maintain public assistance benefits. Through 12 legal clinics scattered throughout the city, UJC delivers legal services in community centers and community- and church-based soup kitchens—the places where the hardest-to-serve clients are most likely to go to meet their most basic needs.

Mental Health Project

The MHP was founded eight years by the UJC to focus on the legal needs of individuals with psychiatric disabilities in New York City. The project is comprised of an interdisciplinary team of lawyers, social workers, and legal advocates and provides a wide array of services to clients with psychiatric disabilities and are either homeless or marginally housed. The interdisciplinary teams provide these services to clients in the community, through walk-in legal clinics housed in programs that provide services to the mental health community and through MHP's "discharge planning advocates," who advocate for clients on the wards of hospitals and state psychiatric facilities.

Columbia Law School's Center for Public Interest Law

Columbia Law School is one of only a few law schools in the nation to require that every student devote 40 hours to law-related public interest work as a prerequisite for graduation. Created in response to a student initiative, the mandatory *pro bono* program manifests the school's belief that public service is an important part of the professional responsibility of lawyers and of the education in professional responsibility that Columbia lawyers receive. Since the inception of the program (the class of 1996 was the first class with the requirement), more than 55 percent of students have com-

Continued on page 6

BIFOCAL

Bar Associations in Focus on Aging and the Law
Newsletter of the American BAR Association
Commission on LAW and AGING

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Inside the Commission

New Commissioners for 2002-03

The ABA Commission on Law and Aging is composed of fifteen members who are appointed on an annual basis by the president of the ABA. As a multi-disciplinary group, the commissioners represent aging experts from a broad spectrum of professions, including law, health care, social work, gerontology, advocacy, and public service. The fundamental diversity of the group ensures a stimulating forum for discussion of the law-related issues facing older Americans. Cooperative efforts between the commissioners and the commission staff have produced numerous publications, as well as research and demonstration projects of considerable value to the public at large. To provide our readers with an abbreviated view into the strengths and expertise of our commission, each fall issue of BIFOCAL will feature brief profiles of the most recent distinguished appointees.

Kristin Booth Glen is the new chair of the ABA Commission on Law and Aging. She is dean of the City University of New York School of Law. She has been a member of the judiciary since 1980, having served as a civil court judge for six years before being elected to the New York State Supreme Court in 1986. In 1993, she was appointed an associate justice of the appellate term, First Judicial Department. She left the bench in 1995 to become only the third dean of the City University of New York's law school.

Dean Glen is a member of the boards of numerous organizations, including the Overseers for the Brookdale Center on Aging, the Fund for Modern Courts, and the *Columbia Journal of Gender and Law*. She is active in a number of bar associations, among those the Association of the Bar of the City of New York, the New York State Bar Association, the Women's Bar Association, and the National Association of Women Judges. Within the ABA, she has served as a member of the council of the Senior Lawyers Division and vice chair of the section's Legal Education Committee, as well as liaison to the Commission on Women and to the Standing Committee on *Pro Bono*, as vice chair of the Section on Legal Education's Diversity Committee, and as a member of the Coordinating Group on Bioethics and the Law. She is a fellow of both the American and New York State Bar Foundations, and a member of the American Law Institute. Dean Glen has been the recipient of numerous awards, most recently the Ruth G. Schapiro Memorial Award from the New York State Bar Association for her service to women in the profession and, in August 2002, Columbia Law School's Lawrence Wien Public Interest Prize. She received a B.A. in political science from Stanford University and a J.D. from Columbia University Law School, where she was a Harlan Fisk Stone Scholar.

Hon. Ronald B. Adrine is an associate judge of the Cleveland Municipal Court, where he has been re-elected three times to full six-year terms, most recently in 1999. Judge Adrine served as a criminal prosecutor with the Cuyahoga County Prosecuting Attorney's Office and was in private practice, with his father, Russell T. Adrine. He has also served as senior staff counsel for the U.S. House of Representative's Select Committee on Assassinations. Judge Adrine is active in numerous professional and civic organizations. He has been a member of former Ohio Governor Richard F. Celeste's Task Force on Family Violence; has served on

the Victim Assistance Advisory Boards of the last three successive Ohio attorneys general; and chaired the Ohio Commission on Racial Fairness. In 2000, Judge Adrine was awarded the Ohio State Bar Medal, the association's highest honor, for his contributions to the legal profession. He is a graduate of Fisk University and the Cleveland-Marshall College of Law.

Richard B. Allen is managing editor of *Defense Counsel Journal*, a publication of the International Association of Defense Counsel, headquartered in Chicago. He is a founding member of the ABA Senior Lawyers Division. He served as chair of the division in 2000-01, and represented the division in the ABA House of Delegates from 1997 to 2000. He was on the staff of the *ABA Journal* from 1963 to 1986, when he retired as editor and publisher. He also has practiced law and was general counsel of the Illinois State Bar Association from 1957 to 1963. He is a graduate of the University of Illinois, receiving a B.S. in 1941 and J.D. in 1947.

New Commissioners

Continued from page 3

Myra J. Christopher became president of the Midwest Bioethics Center in December 1994, and continues to serve as its executive director, a position she has held since the center's inception in 1985. She is a national program officer of the Robert Wood Johnson Foundation's National Program Office for State-based Initiatives to Improve End-of-Life Care. She is an author and frequent speaker on bioethical issues, and has consulted on numerous subjects, including health care delivery corporations, regulators, accrediting organizations, and with national and state legislators. Currently, she is a member of the Policy Strategist Group for the Robert Wood Johnson Foundation's Last Acts Campaign, the National Advisory Board for the Duke Institute for Care at the End-of-Life, the expert panel for the Rosalynn Carter Institute for Human Development, and the National VA Hospice and Palliative Steering Committee. She has received numerous awards and honors, including, in 1996, "Alumnus of the Year" for the College of Arts and Sciences at the University of Missouri-Kansas City; a nomination for the Gleitsman Foundation's Citizen Activist Award for 2002; and, in the same year, chosen as one of the "Top 150" citizens of Kansas City in celebration of its sesquicentennial.

Mary Joy Quinn is the director of the Probate Department of the San Francisco Superior Court. She is a member of the American Society on Aging, the National Council on Aging, the California Association of Superior Court Investigators, and the National College of Probate Judges. She is an author and contributor to numerous journals and textbooks, including the *Handbook for Conservators* (Judicial Council of California, 1987, 1995, 2001), "Elder Abuse," *Encyclopedia of Aging* (Springer Publishing Company, 1986, 1997), and *Elder Abuse and Neglect* (Springer Publishing Company 1986, 1997). She received a nursing diploma in 1961 from the Sisters of St. Joseph of North Dakota, a B.S. in

general nursing in 1964 from the University of Oregon, and an M.A. in clinical psychology specializing in gerontology in 1977 from Lone Mountain College in San Francisco.

Leigh B. Middleditch, Jr. is vice president in the State Government Relations Group with McGuireWoods Consulting LLC, and also serves as Of Counsel to the law firm of McGuireWoods LLP in its Charlottesville office. He has served as legal advisor and special counsel to the University of Virginia and on its Board of Visitors. He is a director at the U.S. Chamber of Commerce, and has served on the ABA's Board of Governors, as chair of the Virginia Healthcare Foundation, and as president of the Virginia Chamber of Commerce. At the University of Virginia, he has been president of the alumni association and is chair of White-Burkette Miller Center Foundation for Studies of the Presidency and the Thomas E. Sorensen Institute for Political Leadership. Mr. Middleditch also is a director of the Jefferson Area Board for the Aging and is a trustee of the Thomas Jefferson Foundation (Monticello). He received a B.A. and J.D. from the University of Virginia.

Pamela B. Teaster is an assistant professor in the Kentucky School of Public Health and Ph.D. Program in Gerontology/Sanders-Brown Center on Aging. She is editor of the *Journal of Elder Abuse and Neglect* and serves on the editorial board of the *Journal of Applied Gerontology*. She is the first vice president of the National Committee for the Prevention of Elder Abuse. Her research projects have included a statewide evaluation of public guardianship and conservatorship programs, outcomes of involuntary adult protective services, compliance with guardianship reporting, and sexual abuse of older and disabled adults. She has recently published articles in *The Journal of Applied Gerontology*; *The Journal of Ethics, Law, and Aging*; *Educational Gerontology*, and *Gerontology and Geriatrics Education*. She earned a Ph.D. in public administration and public affairs and a graduate certificate in gerontology from the Virginia Polytechnic Institute and State University.

Advocacy

Shape the Debate for Seniors

By Richard Ingham

Legislative advocacy is the process of winning the minds, if not the hearts, of those who shape public policy. (Some will say the mind and heart are reached through the stomach, but that's another topic.) The shaping process is much easier if it begins when the policy maker is still a candidate. That way, we can elect candidates who already "get it."

With respect to aging policy, if a candidate for elected office already knows where the local area agency on aging is located (and what it does), knows that adult day care services are underfunded, and has a mother in a nursing home to boot, we have found a wonderful asset for shaping public policy in favor of aging Americans.

The way to find these candidates is to ask the kinds of questions printed below. I recommend these questions be distributed to aging advocates by the legal services developer and other advocacy leaders in each state. (The legal services developer is also the ideal person to list as the contact person to answer questions for candidates.) Make sure that the candidates, political parties, and those organizing town forums and debates also receive copies.

Questions for Governor, Representative, and Senator (State)

- Do you know how many of your constituents are age 60 and older? (Note: in Oklahoma we post this data on the Aging Services Division Web page at <http://www.okdhs.org/aging/RecommendedLinks.htm>.)
- What area agency on aging serves your constituents, and what services does it offer?
- Do you support additional state funding for legal aid services, earmarked for legal services needed by seniors?
- Do you favor the creation of or increased funding for a public guardianship program?
- How do you stand on providing state-funded benefits for grandparents raising grandchildren, such as respite, medical and case-management services, and tax benefits?

Richard Ingham is the legal services developer for Oklahoma. He may be reached by email at Richard.Ingham@okdhs.org.

- Do you favor state funding for public transportation services that allow older Americans to remain autonomous by accessing needed services outside the home?
- Will you support increased state funding for adult day care services?
- Do you believe that flexible staffing for nursing homes should be a privilege granted only to nursing homes with good records of resident care under shift-based staffing?
- Do you favor a scheme of allowing only one statewide authorized form for end-of-life documents (*i.e.*, advance directive, do-not-resuscitate consent form)?
- Do you know how the Silver-Haired Legislature and AARP serve older Americans?
- Will you support state funding for a prescription drug program for needy Americans who have to decide between paying for prescription drugs and paying for food and shelter?
- Would you be willing to serve as author of a Silver-Haired Legislature bill?
- Would you support legislation establishing an office of elder rights, headed by the legal services developer, to provide a state focal point for leadership on aging issues?

Questions for U.S. Congress

- Will you work for increased funding for the Older Americans Act, which provides nutrition sites, legal services, ombudsmen for nursing home residents, transportation services, information and assistance services, and caregiver programs?
- Will you support federal legislation that will close loopholes in patent law that delay access to generic drugs by consumers, employers, the federal government, and the state Medicaid and employee health insurance programs?
- Will you act immediately to pass legislation putting a prescription drug benefit in Medicare?

Questions for District Attorney

- Will you vigorously prosecute Adult Protective Service referrals of cases involving abuse, neglect, and exploitation of older Americans?

Project Combines Legal, Psychiatric Services

Continued from page 2

pleted more than the 40 hour requirement. In the class of 2002, about 47 percent of students engaged in more than the minimum required service, and 82 percent reported that they were committed to performing *pro bono* service after graduation. The mandatory *pro bono* program is administered by the Center for Public Interest Law, the law school partner on this project. Students fulfilling their *pro bono* requirement constituted the majority of the students who ultimately participated in the project.

Harlem Hospital's Psycho-Geriatric Program

The Psycho-Geriatric Program of Harlem Hospital has three divisions: the mobile geriatric team, which serves home-bound clients; the outpatient clinic, which sees its patients on a weekly basis for case management and therapy; and the day treatment program, which operates treatment sessions for clients on a more regular basis. The program serves about 145 patients at a time.

Project Structure

A staff attorney from the UJC served as the project coordinator and worked with both hospital and law school staff to develop the project and recruit students from Columbia Law School. The students were offered the opportunity to provide legal assistance to the low-income, disabled, and elderly population of the community that surrounds the law school. In this way, the students could meet the *pro bono* requirement of the law school, while, at the same time, learn valuable advocacy skills and provide desperately needed services to the community. The students were trained with regard to the types of cases they would likely see and the issues that might arise. The project coordinator also met with hospital staff to answer questions about the types of cases that would be appropriate referrals to the students, the best way to work with the students, and the most effective methods for coordinating the efforts of the three partner entities.

Challenges

Appropriate Referrals

After initial meetings with hospital personnel over the summer of 2001, project staff anticipated that the biggest challenge would be the recruitment of enough law students

to work on the cases. As the project unfolded, however, just identifying appropriate cases to refer to the students became a significant issue. Each type of legal issue that presented itself required that an MHP staff person engage in extensive training with the students. It would have been inefficient to have the students trained to handle the wide variety of matters that arose during the course of the project and, as a result, many of the initial matters were handled in-house at the MHP.

With respect to these cases, the MHP received referrals on roughly 14 civil legal assistance cases, most of which involved questions of consumer debt, trusts and estate matters, benefits, and housing issues. The majority of these cases resulted in legal counseling conducted in collaboration with members of the hospital staff. In most instances, members of the MHP staff were able to handle these matters through brief intervention, such as writing letters or other similar advocacy. With the trusts and estates matters, which involved creation of power of attorney documents and reviewing wills, the project consulted with members of the private bar, who worked with staff on a volunteer basis.

Concurrently, students began to conduct research on several housing-related matters, including eviction cases, a housing code enforcement action, and one consumer rights case concerning a storage company's improper disposal of items held in storage on behalf of a client following his eviction. It was clear that in order to utilize the law students most effectively, a more focused initiative needed to be developed within the program. That initiative developed into a survey of housing conditions in patient apartments and advocacy, in some cases, for repairs.

September 11

There was another reason that caused the project to utilize staff at the UJC for many of the initial referrals. That was the legal community's focus on responding to the victims of the attacks on the World Trade Center. New York's legal community responded in swift and comprehensive fashion to the immediate demand for legal services in the wake of tragedy. Tens of thousands of direct and indirect victims of the attack received free legal assistance on such matters as trusts and estates, eviction and foreclosure actions, and unemployment cases. Hundreds of lawyers and law students volunteered countless hours to this worthwhile effort. Understandably, other *pro bono* efforts, like the Harlem Hospital project, were hard-pressed to recruit students and volunteer lawyers. Accordingly, the project was unable to promote this initiative fully with the law students in the fall of 2001, and, necessarily, resorted to handling most referrals with UJC staff. (Note: Recruitment increased to ten law students in the spring of 2002.)

Working with Patients

Another challenge that the project faced was making sure that the students and clients were comfortable working with one another. Because of the psychiatric disabilities of many of the clients, developing trust and fostering effective communication required extra effort and special sensitivity. In order to make these relationships work effectively, we needed to work closely with the hospital staff, sometimes having initial meetings at the hospital at which the client, hospital personnel, students, and legal staff were all present. When that was not possible, we worked closely with hospital staff to prepare the client for either a phone call from the students or a visit. We would inform any family member or home health care attendant of our involvement in the case and any contact we might make with the client. In many instances, these extra steps were helpful in facilitating communication between the client and legal staff and students. On a few occasions, despite all of the efforts of the hospital personnel, some individual clients declined legal assistance. Overall, however, working collaboratively with hospital staff to (1) assist us in developing relationships of trust with the clients and (2) facilitating meaningful communication between legal staff, students, and clients proved invaluable to the overall goal of the project.

Most Significant Project Accomplishment—Housing Conditions Advocacy

Throughout the course of the project, the staff coordinating attorney provided brief advice and assistance, as well as some full representation. Although students provided critical research on some of these cases, it was more efficient to have them focus on the most pressing of these matters—working with the clients to obtain desperately needed repairs in their apartments.

Because of the rent laws in New York City, many elderly tenants enjoy low rents if they have had lengthy tenure in a particular residence. Because landlords can raise rents drastically when an apartment becomes vacant, tenants who have resided at the same location for long periods of time tend to have much lower rents than those units where there has been a high rate of tenant turnover. Because of this situation, some landlords employ tactics that will pressure the long-term tenants to relocate, thereby allowing the landlord to raise the rent upon vacancy. While some landlords use completely legal methods to convince tenants to move—for example, reimbursing tenants for relocation costs or even offering them substantial cash payments to move from their apartments—others deploy illegal means to apply undue pressure

on low-rent tenants to vacate their homes. A common method used by unscrupulous landlords is to allow housing conditions to deteriorate to a point where a tenant feels that he or she can no longer remain in a particular apartment, and vacates the unit “voluntarily.”

Violations of New York City housing codes are punishable by fines, and tenants are free to take their landlords into housing court for violations of the code, but few do. Generally, tenants who are unaware or unsure of their rights, or are afraid that if they complain about the housing conditions they will be evicted, will not challenge a landlord’s violation of the housing code. When dealing with an elderly tenant with a psychiatric disability, his or her disability may inhibit the individual’s willingness to advocate for apartment repairs for fear of this type of retaliation. For many of these clients, most of whom live on fixed and limited incomes, alternative, affordable housing is simply unavailable to them and they make the tragic choice of residing in substandard housing rather than advocating for appropriate repairs.

With these issues in mind, one of the initiatives the project spurred was a survey of housing conditions in patient apartments. The expectation was that the students would document substandard conditions and then intervene to obtain repairs in cases where landlords were taking advantage of clients and applying undue pressure on them to abandon their affordable housing. With the assistance of ten law students over the course of the academic year, the project was able to compile information regarding housing conditions and take the steps necessary to ensure that their clients’ homes were maintained in accordance with the law. Most often, these steps required simple communication to inform the landlord of the conditions and to request repairs. In most cases, once a landlord learned a tenant had legal assistance compliance was forthcoming. In other instances, however, more legal action was necessary. In one egregious example of a malicious landlord, students assisted in the preparation of a contempt motion for a landlord’s failure to comply with previous court orders. That motion, which seeks to have the landlord jailed for conduct, involved many hours of student and attorney work, and is still pending. In each aspect of this advocacy, students played a critical role—they developed the facts, negotiated agreements, prepared pleadings, and assisted in court appearances.

Future Goals

An important long-term goal of this project is the development of a program to document housing conditions for elderly individuals with psychiatric disabilities on a city-

Continued on page 8

Continued from page 7

wide scale. Overall, given the nature of the referrals, we found that focusing on bringing student assistance to bear on this issue was the most effective way to involve them in advocacy on behalf of the target population. Although certain economies of scale might exist if a larger number of general legal services referrals came from a number of different sources, it was our experience that the small number of diverse cases were not suitable to a program utilizing law students. Combining the efforts of legal advocates, hospital staff, and law students, however, did prove to be an effective method for reaching the hospital's constituency, a population that is often ranked among the "hard-to-serve" in a number of areas. This holistic and interdisciplinary approach has proven successful in this and other areas of our advocacy. We encourage others to explore ways that legal advocates and health care professionals can join forces to serve different populations that might pose similar service challenges.

Online Law and Aging Resource Guide at

<http://www.abanet.org/elderly>

- ◆ Updated for 2002-03
- ◆ Comprehensive State Listings of Legal Resources for the Elderly
- ◆ Includes Senior Hotline Numbers

The *Law and Aging Resource Guide* is a free, online comprehensive state-by-state listing of the resources available to help older persons with law-related issues.

Published by the ABA Commission on Law and Aging, the guide includes important contact numbers and addresses for legal assistance providers, long-term care ombudsman, local bar association elder law committee contacts, toll-free senior legal hotlines, and other law-related services for the elderly.

To access the guide, log on to the Internet at <http://www.abanet.org/elderly> and scroll down to the *Law and Aging Resource Guide*.

Senior Nutrition Program Adds Law to Menu

Continued from page 1

of those seniors are Spanish speaking—many of them speak only Spanish.

Because of both geographical and cultural barriers, this population has remained largely invisible to the general public. Only recently have outreach efforts been targeted to find and engage these older Latinos, and to make sure they are receiving the full range of services available to them. With the help of a grant from the Partnerships in Law and Aging Program, with funding from the Albert and Elaine Borchard Foundation Center on Law and Aging and the Marie Walsh Sharpe Endowment, the Senior Legal Services Project of San Luis Obispo embarked on a year-long project to reach out to those Latino elders and to provide them with legal assistance.

Most mono-lingual Spanish speaking Latinos are not aware of the many public services and benefits available to them because they turn to their families for help, not to public agencies.

The Senior Legal Services Project is the only agency providing legal services for seniors in San Luis Obispo County. Funded in part by a grant through Title III of the Older Americans Act, the project utilizes one paid staff person and a cadre of volunteer attorneys and paralegals to provide legal assistance to the seniors of this rural county. Until this past year, the greatest majority of the services were used by English speaking clients.

Latino culture strongly favors keeping one's problems within the family. The family, or *la familia*, is the bulwark against the vicissitudes of life. Children are expected to care for their parents and grandparents, to give up their own pleasures to make sure *Tia Rosa* gets to the doctor, and to give of their own money to help out a family member in financial trouble. Most mono-lingual Spanish speaking Latinos are not aware of the many public services and benefits available to them because they turn to their families for help, not to public agencies.

This outreach project was originally conceived as a collaboration between the Senior Nutrition Program of the county, also an Older Americans funded service, and the Senior

Angie King is the senior legal services project director for the Senior Legal Services Project of San Luis Obispo County, California.

Legal Services Project. The Senior Nutrition Program maintains a number of congregate dining sites, and had been encouraging Latino elders to participate. One staff member of the Nutrition Program was very involved with “growing” the participation of Latino elders. She initiated a series of informal meetings called *Mesa Redondas*, or round tables, with the Latino elders. They would meet the hour before the meal was served. The groups began by discussing their own individual histories, how they came to this county, and their families. As a result, friendships began to develop among them. Members took the initiative to make sure an acquaintance heard about the discussions, and those who drive offered rides to others. Groups began initially at two dining sites, but spread to a total of six.

Because the participation is voluntary and informal, the composition of these groups varies from place to place. During the year of the grant, two of these sites were discontinued. Just as the mini-grant services got under way, there were some personnel changes at the Senior Nutrition Program, and the enthusiastic staff person left. The *Mesa Redondas* foundered. However, another non-profit stepped in to revive them. After a period, the *Mesa Redondas* rebounded with this new group and stabilized.

It was our goal that the addition of the legal component to this roundtable discussion would help the Spanish-speaking senior population become less isolated, enable them to receive eligible benefits, and most of all, to provide a forum to discuss their legal problems.

We greatly overestimated the participants’ level of knowledge. For the first several months, the senior project attorney attending these discussions explained over and over again the very simplest information, for instance, the difference between Social Security retirement and Supplemental Security Income benefits, and the difference between Medicare and Medi-Cal (Medicaid is called Medi-Cal in California). Participants at the roundtables would show what they believed was their Social Security card. It would turn out to be a Medicare card, or a bus pass given them by the county welfare agency when they applied for food stamps. The lack of knowledge of English made everything more complicated.

After about six months, the groups began to take a more active role in discussing legal issues, such as: What happens if you die while visiting in Mexico? How can you get prescription drug coverage for Medicare? Who can you complain to about racial and age discrimination?

Participants were offered a chance to meet with the attorney on a confidential one-on-one basis at every meeting. After the seniors became more accustomed to seeing the attorney at their meetings, and feeling more comfortable talking about personal issues outside their immediate family, they opened up. As a result, the project attorney was able to prevent an eviction, complete innumerable wills and advance health care directives, represent a claimant at an administrative hearing on a Medi-Cal issue, and discuss telemarketing scams, identity theft, and other issues.

Roundtable participants would show what they believed was their Social Security card. It would turn out to be a Medicare card, or a bus pass

One of the *Mesa Redondas* held a workshop at which each participant completed an advance health care directive. This was actually the culmination of three meetings. The first meeting involved the reading out loud in Spanish (many participants do not read, even Spanish) of the directive form, followed by a discussion of each section until everyone understood. At the next meeting, those who wanted took a form home to discuss with their families. (At every juncture, the participants took home materials for their families to review. No one makes a decision without discussing it with their family first). Finally, at the third session, complete with homemade tamales and salsa, the group completed the directives.

This grant enabled the project director to travel around the county to meet with the *Mesa Redondas*. The financial support ended in March 2002, but the roundtables are continuing and the project director continues to meet with them whenever possible. They have become like family.



Mark Your Calendar!

Announcing:

Third Annual

National Aging and Law Conference 2002

**Wednesday through Saturday
October 23 - 26, 2002**

**Preconference Sessions on the "Nuts and Bolts"
of several aging and law topics will be offered
on Wednesday, October 23, 2002**

We are proud to announce the Third Annual NALC, sponsored by AARP Foundation, ABA Commission on Legal Problems of the Elderly, National Senior Citizens Law Center, The Center for Social Gerontology, Center for Medicare Advocacy, National Academy of Elder Law Attorneys, National Consumer Law Center, and National Association of State Units on Aging.

The conference will be held at the Hilton Crystal City in Arlington, Virginia – only 15 minutes from the Nation's Capital.

This year's conference offers you the opportunity to share your expertise with colleagues! NALC 2002 will include workshops planned and conducted by advocates in the field. Watch for more information and a Request for Proposals to present a workshop at this year's NALC!

For information on topics, registration, and reservations, contact

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Watch for details and a registration form coming soon!

Bifocal Reader Satisfaction Survey - Fall 2002

1. How many articles in this issue did you read?

1	2	3	4
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

2. Please rank the following articles from the fall 2002 issue:

	Interesting	Somewhat Interesting	Not Very Interesting
Harlem Project Combines Legal, Psychiatric Services	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Senior Nutrition Program Adds Law to Menu	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Inside the Commission	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Shape the Debate	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

3. Tell us how you use *BIFOCAL*:

- Read it
- Read it and circulate among staff at work
- Read it and share with bar association elder law section or committee colleagues
- Read it and encourage bar/office editor to reprint pertinent articles in your group's:
 - newsletter/journal
 - listserv
 - Web page

4. Rate this issue's usefulness in the following areas:

	Excellent	Good	Fair	Poor
Providing practical information that is used on the job	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Increasing knowledge about current law, research, programs, and policies relevant to elder law	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Keeping apprised of what the ABA Commission is doing	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Expanding awareness of the elder law network, in general	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Expanding awareness of efforts (incl. research, projects, programs) aimed at improving access and quality of justice for older people	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Providing a source of ideas for research and projects	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Serving as a tool to train staff	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Providing information on new resources	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Providing information on upcoming CLE/pertinent events	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

5. Tell us what topics you would like to see covered in future issues?

6. Tell us who you are:

Name: _____

Title/Organization: _____

Address: _____

Please copy or detach survey and return to Jamie Philpotts, Editor, *BIFOCAL* and *Bulletin*,
 ABA Commission on Law and Aging, 740 15th St., N.W., Washington, DC 20005-1022; or fax to (202) 662-8696.

Get Connected to Elderbar

Join Elderbar, the listserv that brings together public sector law and aging advocates and the private bar. Elderbar is for you if you are a:

- u Title IIIB legal services provider, legal services developer, long-term care ombudsman, or other Older Americans Act funded elder rights advocate;
- u Legal Services Corporation, other non-profit, or public sector legal advocate;
- u Law school elder law or clinical staff;
- u Bar association elder law section or committee leader; or
- u National law and aging advocate.

Elderbar will give you the opportunity to communicate across the boundaries of the law and aging networks and the public and private sectors. You will be able to share ideas and information about bar sections and committee structures and activities, and to learn what others are doing in the face of funding shortages and practice restrictions to meet the legal needs of older people. Elderbar is a project of the ABA Commission's National Legal Assistance Support Center. It is a closed list; messages can only be posted and read by members.

To subscribe, please send your name, e-mail address, and professional affiliation to Stephanie Edelstein at sedelstein@staff.abanet.org.

We have a new name.

American Bar Association

Commission on Law and Aging

740 15th Street, N.W.

Washington, DC 20005-1022

**See your state's listing of law-related resources for the elderly
in the 2002 updated *Law and Aging Guide*, at <http://www.abanet.org/elderly>.**