The Introduction to Ethics in the Practice of Elder Law is designed to provide an overview of some of the more common issues that arise in an elder law practice. This book is written for the attorney who is new to elder law. In addition to providing an overview of the more common ethical issues that arise in an elder law practice, this book is designed to give the new elder law attorney a framework for analyzing the ethical issues the attorney could be faced with in her practice. Because of the state-specific nature of lawyer regulation, this book will not necessarily provide all the answers, but instead will give the reader some examples and help the reader understand the issues.

This book references the American Bar Association Model Rules of Professional Conduct rather than state-specific professional rules, along with the National Academy of Elder Law Attorneys Aspirational Standards and the American College of Trusts and Estates Counsel Commentaries to the Model Rules of Professional Conduct. Some cases, ABA ethics opinions and state ethics opinions, are included as illustrations so that the reader may better understand how an ethics committee might frame an issue and reason through the applicable rules.¹

Although this book is divided into nine chapters, several of the chapters need to be read together in order to get an effective view of the ethical issues facing the elder law attorney. Each chapter offers a typical hypothetical, a series of opening questions, and a detailed discussion. The reader is always cautioned to check the reader’s applicable state ethics rules, opinions, cases, statutes, and other-state specific resources when faced with an ethical issue.

¹ Some of the cases and opinions may pre-date the revisions to the ABA Model Rules of Professional Conduct. We included them because we thought their illustrations would still be useful, but we caution the reader to consider the effectiveness of any case or opinion decided under a prior version of the applicable ethics rules.
Elder law practice presents interesting ethical issues for the attorney. We believe this book will provide a helpful framework for an elder law attorney to work through ethical problems as well as suggestions for analyzing the issues.\textsuperscript{2}

\textsuperscript{2} We recognize that there are various ways to approach the analysis of an ethical issue and there may be other approaches that differ from our approach to the issues presented.