National Aging and Law Conference

October 29-30, 2015
Hilton Arlington
950 North Stafford St.
Arlington, VA 22203-1813
www.ShopABA.org/2015nalc

National Aging and Law Conference

Earn up to 11.5 CLE Credits
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Welcome to the 2015 National Aging and Law Conference!

Thank you for attending NALC 2015. You, the attendees, are the reason for this Conference. In developing the agenda, we’ve focused on your needs in serving older Americans with the greatest economic and social needs.

This year's Conference celebrates the 50th anniversaries of Medicare, Medicaid, and the Older Americans Act; the 80th anniversary of Social Security; and the 25th anniversary of the Americans with Disabilities Act, with calls for action to carry out the promise of these important laws.

Please join me in thanking the Borchard Foundation Center on Law and Aging for underwriting the conference. Their support made possible this evening’s Opening Reception and the upgraded audio visual services we’ll enjoy onsite. Special thanks to the AARP Foundation Litigation for funding the Jerry D. Florence Scholarships, which helped ten attendees with the cost of attending this year.

- I thank the Planning Committee for developing a well-rounded agenda, recruiting speakers, and spreading word about the Conference.
- I thank my colleagues at ABA Center for Professional Development who are responsible for the 1,001 details of registration, CLE accreditation, materials development, and the venue.
- I thank my colleagues at the ABA Commission on Law and Aging for helping me with this project and who stepped in this year when I was out on medical leave for several weeks and kept the Conference on schedule.
- I thank the Administration for Community Living who make possible my work on the National Legal Resource Center (NLRC)—this Conference is part of our NLRC efforts.

I hope you enjoy the Conference with its valuable information and many opportunities for networking.

We are working on NALC 2016, and hope to make an announcement in the near future. We will let you know as soon as we can, so you can make plans to attend and to submit a workshop proposal. Please let me know how this year’s hotel works for you—I really value your input in making plans for the future of this Conference.

Thank you for being here and for all of the work you do to improve the lives of older Americans.

David Godfrey
NALC Program Chair
Senior Attorney, ABA Commission on Law and Aging
Special thanks to our Sponsors:

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Silver Sponsor
AARP Foundation
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Commission on Homelessness & Poverty
  Coordinating Committee on Veterans Benefits and Services
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Section of Individual Rights and Responsibilities
Section of Real Property, Trust and Estate Law
Senior Lawyers Division
Solo, Small Firm and General Practice Division
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National Consumer Law Center
Syracuse University College of Law
The Center for Social Gerontology

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Twitter: @NtlAgingLawConf
Staff contact: David Godfrey
David.Godfrey@Americanbar.org
# Planning Committee

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Alfred Chiplin  
Nancy Coleman  
Shoshanna Ehrlich  
Jennifer Goldberg  
Iris Y. González  
Penelope Hommel  
Nina Kohn  
Catheryn Koss  
Meredith A. MacKay  
Nura Maznavi  
Mary Helen McNeal  
Keith Morris  
Gwen Orlowski  
Kevin Prindiville  
Charles Sabatino  
Fred Steele  
Judith Stein  
Paige Thorson  
Omar Valverde  
Pete Wacht  
Odette Williamson  
Cheryl Zalenski

## Speakers

**Alaina Anderson**  
Attorney-Advisor  
**U.S. Department of Transportation, Pipeline & Hazardous Materials Safety Administration, Office of Chief Counsel**  
Washington, DC

**Kelly Bagby**  
Senior Counsel  
**AARP Foundation Litigation**  
Washington, DC

**Hon. Patricia Banks**  
Presiding Judge  
**Elder Law & Miscellaneous Remedies Division, Circuit Court of Cook County**  
Chicago, IL

**Merea Bentrott**  
Project Specialist  
**Office of the State Long-Term Care Ombudsman**  
Des Moines, IA

**Ali Bers**  
Litigating Attorney  
**Center for Medicare Advocacy**  
Mansfield, CT

**Dominique Carmichael Braggs**  
Attorney at Law  
**Braggs Law Offices, PLLC**  
Arlington, VA

**Karen Buck**  
Executive Director  
**Pennsylvania SeniorLAW Center**  
Philadelphia, PA

**Jean Callahan**  
Director  
**Brookdale Center for Healthy Aging at Hunter College**  
New York, NY

**Eric Carlson**  
Directing Attorney  
**Justice in Aging**  
Los Angeles, CA

**Lynne Caswell**  
Legal Assistance Developer  
**Maine DHHS – Office of Aging and Disability Services**  
Augusta, ME

**David Certner**  
Legislative Counsel and Legislative Policy Director  
**AARP**  
Washington, DC

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**Center for Medicare Advocacy**  
Washington, DC

**Hilary Dalin**  
Senior Advisor  
**Office of Hearings and Inquiries Marketplace Appeals Group**  
**Centers for Medicare and Medicaid Services**  
Bethesda, MD

**Gill Deford**  
Director of Litigation, Attorney  
**Center for Medicare Advocacy**  
Mansfield, CT

**Rebekah Diller**  
Clinical Assistant Professor of Law and Director, Guardianship Clinic  
**Benjamin N. Cardozo School of Law**  
**Yeshiva University**  
New York, NY

**Yelena Duterte**  
Director of Veterans Legal Clinic  
**Syracuse University College of Law**  
**Syracuse**  
NY

**Toby Edelman**  
Senior Policy Attorney  
**Center for Medicare Advocacy**  
Washington, DC

**Elizabeth Edwards**  
Staff Attorney  
**National Health Law Program**  
Carrboro, NC

**Sarah Richardson Fahrendorf**  
Health Insurance Specialist  
**Centers for Medicare and Medicaid Services**  
Baltimore, MD

**Judy Feder, Ph.D**  
Professor  
**McCourt School of Public Policy**  
**Georgetown University**  
Washington, DC 20057

* Planning Committee
**Speakers**

- **David Godfrey***
  Senior Attorney
  American Bar Association
  Commission on Law and Aging
  Washington, DC

- **Jennifer Goldberg***
  Directing Attorney
  Justice in Aging
  Washington, DC

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  Senior Attorney
  AARP Foundation Litigation
  Washington, DC

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  Chief, Public Policy and External Affairs
  National Association of Area Agencies on Aging
  Washington, DC

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  Senior Attorney
  AARP Foundation Litigation
  Washington, DC

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  Project Director
  Maryland Legal Aid
  Baltimore, MD

- **Sarah Halsell**
  State Legal Services Developer
  Florida Department of Elder Affairs
  Tallahassee, FL

- **Rebecca Henry**
  Deputy Chief Counsel
  Commission on Domestic & Sexual Violence
  American Bar Association
  Washington, DC

- **Alison Hirschel**
  Director
  Michigan Elder Justice Initiative
  Lansing, MI

- **Penelope Hommel***
  Co-Director
  The Center for Social Gerontology
  Ann Arbor, MI

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  Associate Director, Attorney
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  Mansfield, CT

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  Senior Policy Analyst
  Consumer Financial Protection Bureau
  Washington, DC

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  Staff Attorney
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  Gwynedd Square Nursing Center
  Lansdale, PA

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  Policy Attorney
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  Syracuse University College of Law
  Syracuse, NY

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  Senior Attorney
  AARP Foundation
  Washington, DC

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  Borchard Fellow
  Borchard Foundation
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  Staff Attorney
  Center for Medicare Advocacy
  Mansfield, CT

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  Managing Attorney
  UGA School of Law
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  Clark, NJ

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  Augusta, ME

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  Legal Counsel for the Elderly
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  Professor and Director
  Elder Law Clinic
  Syracuse University College of Law
  Syracuse, NY

- **Camilla McRory**
  Attorney At Law
  Rockville, MD

* Planning Committee
<table>
<thead>
<tr>
<th>Name</th>
<th>Title/Position</th>
<th>Organization/Location</th>
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<tbody>
<tr>
<td>Keith Morris*</td>
<td>President</td>
<td>Elder Law of Michigan, Lansing, MI</td>
</tr>
<tr>
<td>Samantha Morton</td>
<td>Executive Director</td>
<td>Medical-Legal Partnership</td>
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<tr>
<td>Margaret Murphy</td>
<td>Associate Director, Attorney</td>
<td>Center for Medicare Advocacy, Mansfield, CT</td>
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<tr>
<td>Tina Nelson</td>
<td>Managing Attorney</td>
<td>Legal Counsel for the Elderly, Washington, DC</td>
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<tr>
<td>Julie Nepve</td>
<td>Senior Attorney</td>
<td>AARP Foundation, Washington, DC</td>
</tr>
<tr>
<td>Kimberly O'Leary</td>
<td>Professor of Law and Director</td>
<td>Sixty Plus, Inc. Elderlaw Clinic, Western Michigan University, Thomas M. Cooley Law School, Lansing, MI</td>
</tr>
<tr>
<td>Gwen Orlowsky*</td>
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<td>Carolyn Miller Parr</td>
<td>Judge (ret.), Mediator</td>
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<tr>
<td>Patricia Poss</td>
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<td>William Alvarado Rivera</td>
<td>Deputy Chief Counsel, Office of the General Counsel</td>
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<tr>
<td>Jack Rives</td>
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<td>Craig &amp; Fox PLLC, Wilmington, NC</td>
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<td>Federal Trade Commission, Washington, DC</td>
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<td>Rachel Scott</td>
<td>Staff Attorney</td>
<td>Senior Citizens Law Project of the Atlanta Legal Aid Society, Atlanta, GA</td>
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<td>Lori Smetanka</td>
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<td>National Consumer Voice for Quality Long-Term Care, Washington, DC</td>
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<td>Administration for Community Living, Washington, DC</td>
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<tr>
<td>Shira Wakschlag</td>
<td>Staff Attorney, Special Assistant to the CEO</td>
<td>The Arc, Washington, DC</td>
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<tr>
<td>Edwin L. Walker</td>
<td>Deputy Assistant Secretary for Aging</td>
<td>Administration on Aging, Administration for Community Living, Washington, DC</td>
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<td>Andrew Strickland</td>
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<td>Legal Aid Society of the District of Columbia, Washington, DC</td>
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<td>Erica Wood</td>
<td>Assistant Director</td>
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<tr>
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<td>National Consumer Law Center, Boston, MA</td>
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<tr>
<td>John Whitelaw</td>
<td>Supervising Attorney</td>
<td>Community Legal Services of Philadelphia, Philadelphia, PA</td>
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<tr>
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<td>Policy Analyst</td>
<td>Consumer Financial Protection Bureau, Washington, DC</td>
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**DAY ONE | OCTOBER 29, 2015**

**Registration / Check in (Lobby) | 8:00AM–5:00PM**

**National Association of Senior Legal Hotlines Meeting (Picasso & Da Vinci) | 8:00AM–9:15AM | Open Meeting**

**Breakfast (Lobby) | 8:30AM–9:30AM**

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<tr>
<th>Ethics</th>
<th>Third Annual “Wait, Wait Don’t Tell Me” Medicare Hot Topics</th>
<th>Critical Estate Planning Tools for Low Income Seniors</th>
<th>Fund Development for Senior Legal Services</th>
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<tr>
<td>Agents, Guardians, Surrogates, Oh My! Ethics of Working with Third Parties</td>
<td>9:30AM–10:30AM</td>
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Through small group discussions and case studies, this workshop will help new and experienced attorneys work through the complex ethical questions related to third parties, including:

- Determining who is the client;
- Different sources of authority for third parties (e.g. financial powers of attorney, health care agents, guardians, surrogate decision makers); and
- Applying the Model Rules of Professional Conduct, including Rule 1.6, Confidentiality and Rule 1.14 - Client with diminished capacity.

**Speakers:**
- Jennifer Goldberg
- Anne Haffner Hurley
- Emily Jaskot

In a fun and fast-paced manner, with audience participation, attorneys from the Center for Medicare Advocacy will teach about important Medicare trends and updates.

**Speakers:**
- Judy Stein
- Alfred Chiplin
- Gill Deford
- Toby Edelman
- Kathy Holt
- David Lipschutz
- Margaret Murphy
- Kata Kertesz
- Ali Bers
- Wey-Wey Kwok

Basic estate planning is critical, even for low-income seniors. POAs, Wills, Trusts, and Transfer on Death Deeds are some of most important documents for these clients. Probating a testate estate is a much easier, simpler, and less expensive process than an intestate estate. Having these documents prepared provides peace of mind for the preparer, direction for family members, and plays an important role in preventing homelessness and generational poverty.

**Speakers:**
- Tina Nelson
- Dominique Carmichael Braggs

The funding for senior legal services is insufficient. For many senior legal service program managers, the words “fund development” cause a cold sweat. This workshop will look at reframing senior legal services to make programs eligible for additional grant funding, using client-focused and community-focused traditional fundraising in a senior legal services program, and integrating fund development as part of a larger communications plan.

**Speakers:**
- Keith Morris
- Karen Buck

**Break | 10:30AM–10:45AM**
### Gallery I & II

| **Plenary** | Celebrating Anniversaries with Action | 10:45AM–12:00PM |

2015 marks the following:
- 80th Anniversary of Social Security
- 50th Anniversary of Medicare and Medicaid
- 50th Anniversary of the Older Americans Act
- 25th Anniversary of the ADA

This panel of experts will explore how these landmark laws have improved the lives older Americans and the actions needed to preserve and improve these critical laws.

**Speakers:**
- David Godfrey (moderator)
- David Certner
- Judy Feder
- Shira Wakschlag
- William Alvarado Rivera

### Lunch | 12:00PM–1:00PM

| **Ethics** | Ethical Challenges of Using Law Student Interns/Externs |

Using the ADA and **Olmstead** To Ensure People Do Not Languish in Nursing Facilities

1:00PM–2:00PM

The landmark U.S. Supreme Court **Olmstead** case requires states to serve people with disabilities in the least restrictive settings and to support community integration efforts. This workshop will provide an overview on how to use the **Olmstead** decision to compel states to serve nursing facility residents and those at risk of placement in such facilities in more integrated settings.

**Speakers:**
- Kelly Bagby
- Elizabeth Edwards

| **Race, Gender, Poverty and Income Inequality Among America’s Seniors** |

Through case studies and an interactive discussion process using response ware, participants in this session will explore and address a range of ethical dilemmas related to using law students to expand access to services. Issues for discussion include the distinction between legal advice and legal information, unauthorized practice of law, state bar student practice rules, appropriate supervision, law school versus on-site supervision responsibilities, confidentiality contracts, database encryption and what to do if a student “goes rogue.”

**Speakers:**
- Ellie Lanier
- Keith Morris
- Alaina Anderson

| **The Story of OAA Legal Services: Dialogue on Meaningful National Reporting** |

Poverty among seniors disproportionately impacts women, especially women of color – according to the recent census, one in five African-American women over 65 live in poverty. Seniors living in poverty must navigate highly complex bureaucratic systems to access income, health and nutritional services. This session will offer participants an opportunity to understand senior poverty and legal strategies that advocates can use to make these systems work better for poor seniors.

**Speakers:**
- Kate Lang
- Jennifer Goldberg

### Break | 2:00PM–2:15PM

### Gallery III

### Picasso & Da Vinci

### Renoir

### Plenary

| Plenary | Celebrating Anniversaries with Action | 10:45AM–12:00PM |

2015 marks the following:
- 80th Anniversary of Social Security
- 50th Anniversary of Medicare and Medicaid
- 50th Anniversary of the Older Americans Act
- 25th Anniversary of the ADA

As we celebrate the OAA's 50th Anniversary, it is past time that we should have national data to “tell the story” of OAA legal services and its critical role in ensuring the welfare of vulnerable elders. Come hear what's happening in research, policy and lessons learned. Brainstorm with us on ways to engage policy makers and stakeholders and help them see the exciting possibilities for using data to further the dialogue on elder rights advocacy.

**Speakers:**
- Penny Hommel
- Lauren Lisi
- Sarah Halsell
- Omar Valverde
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<tr>
<td>Lessons from State and Local Efforts on Elder Financial Exploitation</td>
<td>Capacity to Consent to Sexual Expression in Long-Term Care</td>
<td>VA Pension: Income Security for Veterans and Their Family</td>
<td>Foreclosure and the Elderly Homeowner – 2015 Update</td>
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<td><strong>2:15PM–3:30PM</strong></td>
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State and local activities to prevent, detect, and redress elder financial exploitation are booming, much like the problem itself. Through facilitated discussion, lessons learned from efforts in Maine, Oregon, and other states to improve law, policy, and practice will be imparted. The roles of legal services programs and legal services developers in those efforts will be highlighted. Participants will have ample opportunity to share challenges and ideas and to learn from the experiences of others.

**Speakers:**
- Lori A. Stiegel, JD
- Jaye L. Martin

This workshop will explore the complex issues surrounding the ability to consent to sexual activity in long-term care settings, particularly among persons with diminished capacity. Collaborative efforts among Iowa’s Long-Term Care Ombudsman Program and the Legal Services Developer are essential to the establishment of a conceptual framework which addresses challenges associated with Dementia-related illnesses. An interactive format will be utilized to demonstrate the effectiveness of this partnership in balancing the ethical preservation of residents’ right to be sexually expressive with the legal standards of diminished capacity.

**Speakers:**
- Rebecca Henry, JD
- Merea Bentrott, Ph.D

We will cover eligibility of veterans and their dependents for VA pension. Further, we will discuss how to get the best result for a client looking to obtain a VA pension. We will give practice pointers on not only obtaining the highest amount for pension, but how a client can keep that amount each year. We will give practice tips on how to deal with a VA debt, due to an overpayment issue related to a VA pension. The presentation will be in presentation giving practitioners an understanding of the law and giving practical tips on how to work within the confines of the VA.

**Speakers:**
- Yelena Duterte
- Rebekah Mason

Foreclosure continues to be a persistent and difficult social problem for the elderly in the United States. Despite the recovery of the housing market, many elderly clients still face this issue, and with limited resources. The session will address (1) the most common and effective responses to foreclosure; (2) changes to federal mortgage servicing rules and their effect; (3) changes to the reverse mortgage program (HECM); (4) RESPA violations and their use to defend foreclosure; (5) changes to and the current status of federal loan modification programs; and (6) foreclosure issues specific to elderly homeowners.

**Speakers:**
- Hugh Lee
- Jennifer Marshall Roden

Break | 3:30PM–3:45PM
Promoting the essential rights of older adults and adults with disabilities and preventing their abuse, neglect and financial exploitation is a key priority of the Administration for Community Living (ACL) and the national aging/disability network. Speakers will discuss the activities of ACL and the Office of Elder Justice and Adult Protective Services in this area and the critical role of legal service provider networks.

*Introduction by Hon. Patricia Banks*

*Speakers*

- Edwin Walker
- Lori A. Stiegel

**Opening Reception | 5:00PM–6:00PM**

This Reception is made possible by generous support from the Borchard Foundation Center on Law & Aging. Learn more about the Foundation at: [http://borchardfoundation.org/](http://borchardfoundation.org/).

**Special Interest Group Meetings | 6:00PM–7:30PM**
## DAY TWO | OCTOBER 30, 2015

### Registration Open (Lobby) | 8:00AM–3:00PM

### Breakfast (Lobby) | 7:45AM–8:30AM

#### Plenary
**Rapid Fire Plenary**

<table>
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<tr>
<th>Time</th>
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</table>
| 8:30AM–9:45AM | • Welcome from the ABA  
  Jack Rives |
| | • What Happens After the End of Your Practice  
  Camilla O. McRory |
| | • What's Happening in Guardianship? – A New Analysis of NYS Guardianship  
  Jean Callahan |
| | • Mental Health Parity Law: Everything You Never Wanted to Know  
  Lauren Marinaro |
| | • Elders Before Siblings: Getting Our Priorities Straight  
  Carolyn Parr |
| | • Is It Time for an International Convention on the Rights of Older Persons?  
  Charlie Sabatino |
| | • Do Advance Directives Work?: A Brief Review of Empirical Research  
  Catheryn Koss |
| | • Emeritus Pro Bono Practice Rules – Data and Best Practices  
  David Godfrey |
| | • Medicare Ombudsman  
  Hilary Dalin |
| | • Lawyers and Case Managers Serving Older Adults: The Case for Integration (not Collaboration)!  
  Samantha Morton |
| | • NBCP Checklist: Fast Facts on the National Background Check Program  
  Sarah Richardson Fahrendorf |

### Break | 9:45AM–10:00AM
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<td><strong>Due Process Developments in Overpayment Collection at the Social Security Administration</strong></td>
<td><strong>Combating the Excessive and Illegal Use of Atypical Antipsychotic Drugs in People with Dementia</strong></td>
<td><strong>The Consumer Financial Protection Bureau’s Complaint Handling Process – Individual and Market Impact</strong></td>
<td><strong>Neuroscience and Communication Skills to Improve Communication with Clients</strong></td>
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<td><strong>10:00AM–11:00AM</strong></td>
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<tr>
<td>Due to statutory changes, recently both the Social Security Administration (SSA) and the U.S. Treasury Department amended their regulations to revoke a limitations period that had prevented the government from offsetting tax refunds to collect overpayment debts more than 10 years old. Class action litigation has been filed on behalf of those who stopped receiving Title II benefits more than twenty years ago, did not receive any notice about an overpayment before money was deducted from their 2013 tax refunds, and could not get an adequate explanation from the SSA despite repeated efforts. We will cover the steps being taken to enforce due process rights at SSA, as well as what is being done to revitalize the overpayment appeal and waiver processes, and how you can be part of that effort.</td>
<td>This session will provide an overview of the prescription of atypical antipsychotic drugs to people with dementia living in nursing facilities and other long-term care facilities. Through case examples, the session will discuss issues related to prescription of antipsychotic drugs, including the reasons behind the excessive prescription of these drugs, the need to obtain informed consent and legal authorization, and ways for advocates, families, and individuals to combat the use of these drugs. <em>Speakers:</em>  - Kelly Bagby  - Andrew Strickland  - Morris Kaplan</td>
<td>The Consumer Financial Protection Bureau (CFPB) accepts consumer complaints about a wide range of products and services. At an individual level, the CFPB has helped consumers secure monetary and non-monetary relief. At a market level, complaints give the Bureau insight into what is happening to consumers around the country, right now. Learn about the CFPB’s complaint process, how each complaint helps inform the Bureau’s work, and the trends in complaints submitted by Older Americans. <em>Speakers:</em>  - Cora Hume  - Beverly Yang</td>
<td>Participants in this interactive session will learn and practice communication skills and techniques to improve their ability to identify, clarify and address client goals and interests. Topics include how the brain operates when in conflict, fundamentals of neuroscience, basic skills to enhance client communication such as Question Funnels, Summarizing, Reflecting Feeling, Reframing, Looping, techniques for helping clients with word finding and redirecting conversation to help with behavior management will be explored. <em>Speakers:</em>  - Ellie Lanier  - David Godfrey</td>
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<p>| Break | 11:00AM–11:15AM |</p>
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<th>11:15AM–12:15PM</th>
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<tr>
<td><strong>Plenary</strong></td>
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<td>Supported Decision-Making: A PRACTICAL Approach to Representation</td>
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<td>Often, attorneys are faced with clients who, due to age or disability, have some decision-making challenges. Historically, this has resulted in attorneys recommending guardianship. This workshop will provide an introduction to Supported Decision-Making, and discuss how it can serve as an alternative to guardianship that protects individual rights, increases self-determination and can improve life outcomes. It will also demonstrate the new PRACTICAL approach to representation, which can help attorneys determine whether less-restrictive alternatives to guardianship are appropriate for their clients.</td>
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**Introduction by Catheryn Koss**

**Speakers:**
- Jonathan Martinis
- Erica Wood
- Rebekah Diller
- Nina Kohn

<table>
<thead>
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<th>Lunch</th>
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**Special Interest Group Meetings | 12:15PM–1:15PM**
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<tr>
<th>Gallery I &amp; II</th>
<th>Gallery III</th>
<th>Picasso &amp; Da Vinci</th>
<th>Renoir</th>
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<tr>
<td><strong>Strategies for Partnering with the Aging Services Network</strong></td>
<td><strong>Reverse Mortgage Update with Special Focus on Preventing Foreclosure of Non-Borrowing Spouses</strong></td>
<td><strong>SSI Financial Eligibility</strong></td>
<td><strong>Ethics</strong></td>
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<td><strong>1:15PM–2:30PM</strong></td>
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| Strategies for partnering with the aging services network to enhance the legal rights of seniors will be presented and discussed. Whether tackling direct legal assistance services or efforts to improve the broader rights of seniors, opportunities will be identified at the national, state, and local levels for collaboration. Key stakeholders and outreach opportunities will be identified from national and state perspectives.  

*Speakers:*  
- Lori Smetanka  
- Amy Gotwals  
- Penny Hommel | This session will briefly review changes to the underwriting and servicing of HECM reverse mortgages. Most of the session will be focused on defending non-borrowing spouses facing foreclosure and eviction after the death of a borrower spouse.  

*Speakers:*  
- Odette Williamson  
- Rachel Scott  
- Julie Nepveu | The financial eligibility rules for the Supplemental Security Income (SSI) program are complex and confusing. We will cover the ins and outs of these rules, focusing on income and resource limits. Have your questions answered by experienced advocates, and find out what you need to know to be more informed and effective in assisting both those applying for SSI and those already receiving SSI benefits.  

*Speakers:*  
- Kate Lang  
- John Whitelaw | This session will highlight the tensions between autonomy and safeguarding that arise when identifying and responding to potential elder financial exploitation. It will assist lawyers representing seniors and others who work with seniors in different capacities by increasing awareness of the indicators of financial exploitation; promoting a better understanding of relevant ethical obligations; exploring the attorneys’ tools and limitations when working with interdisciplinary teams; and highlighting potential client perspectives. It also will address how Model Rule 1.14 assists, or fails to assist, attorneys in this process. It will present a model of collaborative assistance, rather than uninformed autonomy or “zero-tolerance” protection.  

*Speakers:*  
- Alison Hirschel  
- Mary Helen McNeal  
- Kimberly O’Leary |
<p>| <strong>Break</strong> | <strong>2:30PM–2:45PM</strong> |</p>
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<th>Gallery I &amp; II</th>
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<tr>
<td>The Americans with Disabilities Act After 25 Years: Promises to Keep</td>
<td>Model Approaches - Phase II: Building Legal Service Delivery Systems that Combat Elder Abuse</td>
<td>Getting the Long-Term Services and Supports (LTSS) You Need in Managed Care Appeals</td>
<td>Pass It On: Older Adults, Fraud and the FTC</td>
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2:45PM–4:00PM  
2:45PM–4:00PM  
2:45PM–4:00PM  
2:45PM–4:00PM

Twenty-five years after the passage of the Americans with Disabilities Act (ADA) promised an end to relegation of people with disabilities to second class status, America still has promises to keep. People with disabilities, including many older workers, continue to face discrimination in the workplace. Governmental and private facilities have architectural barriers and discriminatory policies that limit participation by individuals with disabilities from fully integrating into the mainstream of American life, and older people with disabilities still face segregation from the community when they are forced into nursing facilities. This workshop will address how far we’ve come in 25 years, and how much further we have go before we fulfill the promise of the ADA.

Speakers:
- Julie Nepveu  
- Dan Kohrman  
- Maame Gyamfi

We cannot prosecute our way out of the problem of elder abuse. ACL’s grant initiative, Model Approaches - Phase II, is building comprehensive systemic capacity for civil legal responses to elder abuse. Through the leadership of Legal Assistance Developers (LADs), Phase II is creating legal service delivery systems optimally responsive to complex legal issues emerging from elder abuse, neglect, and financial exploitation. Phase II grantees are integrating the effective use of community aging/ disability partnerships and low cost legal service delivery mechanisms to prevent and address elder abuse.

Speakers:
- Omar Valverde  
- Keith Morris  
- Lynne Caswell  
- Jaye Martin

This workshop will address winning strategies for advocating on behalf of Medicaid managed care consumers facing reductions, terminations, and denials in needed long term services and supports. In addition to covering the pertinent Medicaid appeal and fair hearing rules, the session will focus on the new Home and Community Based Services (HCBS) person-centered planning regulations, and how those requirements can support advocacy.

Workshop participants will work together to develop real-life discovery and appeal strategies.

Speakers:
- Eric Carlson  
- Gwen Orlowski

The Federal Trade Commission (FTC) will offer tips for preventing scams against older adults – through consumer education and litigation.

We’ll discuss:
- the Pass It On campaign, designed to get older adults talking about scams;  
- litigation on imposter scams, identity theft, charity fraud, health care scams, paying too much, and lottery scams; and  
- how to pass on tips in your community.

Free copies of the featured materials will be available for participants.

Speakers:
- Lisa Weintraub Schifferle  
- Patricia Poss  
- Odette Williamson

Stampede to the Airport | 4:00PM
Registration
For registration information please call the ABA Service Center at (800) 285-2221 or see the on-site registration desk.

MCLE
The ABA directly applies for and ordinarily receives CLE credit for ABA programs in AK, AL, AR, AZ, CA, CO, DE, GA, GU, HI, IA, IL, IN, KS, KY, LA, MN, MS, MO, MT, NH, NM, NV, NY, NC, ND, OH, OK, OR, PA, PR, SC, TN, TX, UT, VT, VA, VI, WA, WI, and WV. These states sometimes do not approve a program for credit before the program occurs.

This course is expected to qualify for 11.5 CLE credit hours in 60-minute states, including 3.25 Ethics credit, and 13.8 credit hours in 50-minute states. This transitional program is approved for both newly admitted and experienced attorneys in NY. Attorneys may be eligible to receive CLE credit through reciprocity or attorney self-submission in other states. For more information about CLE accreditation in your state, visit www.ShopABA.org/2015nalc.

Program Location
Hilton Arlington, 950 N. Stafford St.
Arlington, VA 22203-1813
http://hiltonarlington.com/

The conference site provides for direct access to the Ballston Metro Station with restaurants and shopping within walking distance.

The Hilton Arlington is now taking reservations for a limited number of rooms at the negotiated rate of $219/night + taxes. Reservations can also be made online at: http://www.hilton.com/en/hi/groups/personalized/D/DCAVAHF-NIL-20151028/index.jhtml. Or, call the hotel directly at 1-800- HILTONS (445-8667) or 703-812-5113 and refer to the ABA National Institute on Law & Aging. The deadline for reservations is Monday, September 28, 2015.

Cancellations
Cancellations received five business days or more before the program will receive a full refund, less a $50 cancellation fee. No refunds will be provided for cancellations after that date; however, substitute registrants are welcome at any time. To cancel your registration or substitute another individual, please call the ABA at (800) 285-2221 or fax your request to (312) 988-5850. Registrants who do not cancel within the allotted time period and who do not attend the program will receive a copy of the program course materials after program completion.

Services for Persons with Disabilities
If special arrangements are required, please contact Cortney Bronson at (202) 662-1874 or courtney.bronson@americanbar.org. Reasonable advance notice is requested.

Standing Committee on Continuing Legal Education
Under the guidance of the Standing Committee on Continuing Legal Education, the Center for Professional Development administers and produces National Institutes, webinars, other technology-based products, and written course materials to assist lawyers’ continuing legal education efforts.

Attire
Casual attire is appropriate for all activities.
Resources Targeted to You!

Assessment Of Older Adults With Diminished Capacity: A Handbook For Lawyers
This Handbook offers elder law attorneys, trusts and estates lawyers, family lawyers, and general practitioners a conceptual framework and a practical system for addressing problems of client capacity, in some cases with help from a clinician. It represents a unique collaboration of lawyers and psychologists, offering ideas for effective practices and making suggestions for attorneys who wish to balance the competing goals of autonomy and protection as they confront the difficult challenges of working with older adults with diminished capacity.

Health and Financial Decisions: Legal Tools for Preserving Your Personal Autonomy
This ten-page brochure provides information on powers of attorney, trusts, health care advance directives, living wills, and other planning tools.

Learn best practices for working with aging clients to distinguish yourself among your peers, take leadership in addressing seniors’ capacity issues and protect vulnerable clients from abuse.

VA Pension: Income Security for Veterans and Their Family
• Register and learn more at: http://bit.ly/1IGENlC
• November 17, 2015
• This webinar will cover eligibility of veterans and their dependents for VA pension.

Panelists will discuss how to get the best results for a client looking to obtain a VA pension. Practical pointers on obtaining the highest amount for pension will be discussed, as well as how a client can keep that amount each year. Practice tips on dealing with a VA debt—due to an overpayment issue related to a VA pension—will also be provided. This presentation will give practitioners an understanding of the law and provide practical tips on how to work within the confines of the VA.

Visit www.ShopABA.org to learn more about and to purchase these products