Have you heard about the New National Aging and Law Conference? More details on p. 60!

Bifocal's 2013 Year in Review Issue

Managing Someone Else's Money
Help for court-appointed guardians of property and conservators

International Rights of Older Persons
Ageism, Justice, and Social Policy
by Israel (Issi) Doron

Book Review
ABA/AARP Checklist for Family Survivors
Reviewed by David M. Godfrey
Inside the Commission

2013 Year in Review

Letter from the Chair

Health Decisions and Advance Planning

International Human Rights of Older Persons

Guardianship and Capacity Issues

Elder Abuse

Legal Service Delivery, Program Development, and Older Americans Act Highlights

Commission Revenue Overview

CFPB Consumer Guides: A Successful Partnership

2013’s Quarterly Webinars

Fall 2013 Intern and Extern Testimonials

International Viewpoint

International Rights of Older Persons: Ageism, Justice, and Social Policy by Israel Doron

Book Review

ABA/AARP Checklist for Family Survivors Review by David M. Godfrey

ABA Radio News Release

Discuss Your Dying Wishes Now

John H. Pickering Award Call for Nominations

New Commission Publication

Checklist for an Elder-Friendly Law Office

Upcoming ABA CLE Webinars

ABA CLE Premier Speaker Series Update

Save the Date!

New National Aging and Law Conference

Questions?

Contact the Commission at (202) 662-8690, or at: aging@americanbar.org.
2013 Overview

The Work and Accomplishments of 2013

In this, its 33rd year, the Commission has continued to leverage the cumulative expertise of its staff and members in its pursuit of its mission: to serve as a collaborative, interdisciplinary leader of the Association’s work to strengthen and secure the legal rights, dignity, autonomy, quality of life, and quality of care of aging persons.

This issue of Bifocal will serve as our second Year in Review issue—providing a snapshot of where the Commission’s work stands today.

Given the pace required to achieve what we have in the past year, it’s easy to forget to step back and appreciate the breadth and depth of the Commission’s work. In the past 12 months, the work of the professional staff and commissioners has impacted the legal profession, public policy, and the public at large in several ways.

The Commission’s work has impacted the legal profession:

- Through our law and practice publications, such as our capacity assessment handbooks and tool kits (“Checklist for an Elder Friendly Office”), our bi-monthly e-journal, our elder law ethics brochure, and topical articles;
- Through our quarterly “Elder Law Essentials” CLE webinars and more than 60 professional education presentations by staff and Commissioners;
- Through our support of programmatic efforts of all ABA sections and divisions that seek to target law and aging issues, including cross publication with the Senior Lawyer’s Division and providing faculty to other section and division CLE programs;
- Through the respect and good will we engender for the ABA.

The Commission’s work has impacted public policy:

- Through responding to requests for technical assistance (over 2000 per year from multiple disciplines, policy-makers, and the media) and tracking of state legal developments in guardianship, elder abuse, health care decision-making, and other subjects;
- Through our advisory participation in policy, advocacy, and training efforts related to the health care decisions laws, the Adult Guardianship and Protective Proceedings Jurisdiction Act, Power of Attorney Act, the federal Elder Justice Act, and the Older Americans Act, among others;
• Through our policy development and advocacy efforts within the ABA and at the state and federal level in conjunction with ABA Government Affairs.

The Commission’s work has impacted the public:

• Through our educational materials for the general public, addressing financial exploitation, health care powers of attorney, and other publications developed under foundation grants.

A considerable and successful undertaking this year was a set of consumer-targeted guides for lay-fiduciaries. Staff researched and wrote a nationally recognized series of valuable booklets as part of a contract from the Consumer Financial Protection Bureau entitled Managing Someone Else’s Money. Work on this project continues into 2014 with a set of six state-focused guides in the pipeline and a replication guide in the works, as well.

I’m proud of our successes and accomplishments and look forward to continuing success in helping to shape an effective response of the legal profession in meeting the law-related needs of older individuals.

I encourage you to get involved: through participating on one of our excellent discussion lists, through interacting with us through our social media accounts, or by contacting us to discuss a donation or a potential opportunity to partner with us on a project.

Sincerely,

[Signature]

Connect with Us

Twitter
Follow us:
@ABALawandAging

Facebook
We are listed as:
ABA Commission on Law and Aging

Discussion Lists
The Commission provides a forum for legal professionals to communicate and share ideas on two active discussion lists:

• Elderbar, an open discussion list for professionals in law and aging, and
• Collaborate, a discussion list on aging, disability, and dispute resolution.

Visit the Commission’s homepage for more information on how to sign up.

Media Requests
The Commission provides background to the media on a range of issues relating to law and aging, including:

• Guardianship and conservatorship
• Elder abuse, neglect, and exploitation
• Mental capacity, aging, and surrogate decision-making
• Health care decision-making and advance directives
• Medicare, Medicaid, and long-term care
• Elder Law and the delivery of legal assistance to older persons

Contact the Division for Media Relations and Communication Services for expert contacts at abanews@americanbar.org or (202) 662-1090.
Policy

Commission staff have worked with Congressional staff to implement ABA policy strengthening the Patient Self-Determination Act. The Act supports patients’ health care advance planning options and promotes the adoption by states of protocols known as “Physician Orders for Life Sustaining Treatment (POLST).” Key legislative outcomes during 2013 have been the introduction of the “Personalize Your Care Act” (HR 1173) by Rep. Earl Blumenauer (D-OR) and the “Care Planning Act” (S 1439) by Senator Mark Warner (D-VA) and Johnny Isakson (R-GA). A Senate Aging Committee hearing in June on advance care planning attracted the active participation of several senators, suggesting a growing interest in advance care planning legislation.

National Health Decisions Day

The ABA, through the Commission, is one of the original co-sponsors of National Health Decisions Day (April 16). This year we succeeded in orchestrating a joint article by the presidents of the American Bar Association and the American Medical Association which was distributed via the McClatchy-Tribune news service and published in a number of their local/regional papers. We also drafted a news piece on advance care planning that was published under ABA President Laurel Bellows’ byline in the AARP Bulletin, which has a readership of 40 million. Finally, the Commission and ABA Media Relations collaborated on a radio news release that was aired nearly two thousand times and was heard by an estimated seven million listeners. If we had to pay advertising dollars for that audience, it would have cost more than $1 million.

Advance Care Planning Smartphone App

After several months work on a collaboration agreement with the developer of the My Health Care Wishes smartphone application, the ABA Board of Governors approved a Commission proposal to reconfigure and distribute the app as an ABA-branded product. As of the end of 2013, the final details of the agreement and project implementation were ironed out and the projected release date of the application will be spring 2014. The app provides a health care advance directive personal management tool.

POLST

The Commission continued to serve as the legislative/legal consultant to the National POLST paradigm Task Force which is made up of representatives from states that have established
POLST programs in conformity with endorsement standards adopted by the Task Force. The number of states that have adopted POLST programs reached 23 this year with 15 of those states, plus one sub-state program, achieving endorsed status by the Task Force. The majority of remaining states have POLST programs in various stages of development.

**Electronic Health Records**

The Commission drafted comments on behalf of the ABA responding to a request for comments from the federal Health Information Technology Policy Committee on its draft recommendations for “meaningful use” criteria under Stage 3 of the HITECH Act. Our comments sought to strengthen the extremely weak criteria proposed for the handling of advance care planning documents in electronic medical records. Subsequently, the Commission was asked to testify at a virtual hearing on the same subject, held by the Health Information Technology Policy Committee held in September. We expect our ABA comments to make a significant difference when final Stage 3 criteria are announced in 2014.

**Education**

Educational efforts on health decisions and advance care planning included 12 professional conference presentations during the year; publication of the article “Eight Advance Care Planning Lessons that Took Me 30 Years to Learn;” updating of “Medico-Legal Issues,” a special subjects chapter in *The Merck Manual*; and serving as a consulting editor for the 2013 edition of *The Health Care Power of Attorney and Living Will*, by Harvard Health Publications.

---

**2013 Overview**

**International Human Rights of Older Persons**

In carrying out the ABA policy adopted in 2011 that supports the efforts of the United Nations to strengthen the human rights of older persons, the Commission has participated in the annual August meetings of the U.N. *Open-Ended Working Group on Ageing* in 2012 and 2013 through our liaison Bill Pope. The Working Group has engaged in extensive inquiry and debate about whether the U.N. should pursue a separate convention on the rights of older persons; or instead, seek to strengthen the enforcement of existing international normative standards as they may apply to older persons.

The Commission has spoken on an expert panel of the Working Group, submitted written comments, and participated in Working Group discussions on matters related to access to justice, wherein our Commission has become persuaded of the need for a new convention. The future work of the Working Group is uncertain at this point, but the Commission is seeking to expand the involvement of the legal profession in their future work.

At the same time, the Commission has monitored the efforts of the Organization of American States, which has been moving ahead with efforts to draft a free-standing OAS convention on the rights of older persons.
Guardianship and capacity issues are a rapidly moving target. The Commission routinely receives a wide array of requests for technical assistance on guardianship and decision-making issues throughout the year. The aim is to balance attention to these timely state, local and individual needs with a broader vision for reform that can have a more widespread effect on policy and practice, and in turn on the quality of life of vulnerable individuals.

**State Guardianship Stakeholder Groups: Taking WING**

During 2013, the Commission has been working with four states that are implementing an exciting, lasting process to advance adult guardianship reform. The four states — New York, Oregon, Texas and Utah — are creating Working Interdisciplinary Networks of Guardianship Stakeholders (WINGS). The creation of WINGS was a key recommendation of the National Guardianship Network’s 2011 Third National Guardianship Summit.

The concept is for state courts to partner with community entities in the legal, aging, disability and mental health fields to drive changes in practice. The notion is that lasting change at the state level is most likely to come about through collaborative stakeholder coordination and problem-solving.

With funding from the State Justice Institute and the Borchard Foundation Center on Law and Aging, the Commission — on behalf of the National Guardianship Network (10 national organizations) — requested and received applications for WINGS awards (for small incentive grants and technical assistance) from state chief justices. An NGN advisory committee selected four states. Three of these states already have held initial meetings, opening doorways to better awareness of problems and possible solutions; and one will conduct its initial meeting in March. The energy and sense of hope in these groups is palpable, and the Commission is pleased to be a part of their efforts.

**Multi-State Guardianship Cases**

This year the Commission partnered with AARP to promote the passage of the Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act. The reason this Act is important is that if more than one state is involved in a guardianship case, as is increasingly common, families maybe caught in a jurisdictional tangle that can cost money, delay care and aggravate disputes. The Uniform Act provides a clear solution, and has now been passed by 37 states, DC and Puerto Rico. This year saw its passage in Wyoming and New York.
However, 13 states and additional territories still need to pass the Act if it is to function as intended. In these states, passage of the Act would save judicial and family time and expenses, and greatly simplify multi-jurisdictional cases — without changing substantive state guardianship law and without cost to the state. The Commission assists the AARP State Advocacy and Strategy Integration Team to produce materials for state AARP offices that have expressed interest in passing the Act. Additionally, in July the Commission, with the co-sponsorship of other key ABA entities, produced a webinar aimed at ABA members on the Act.

**Coordination with Representative Payment System**

Since 2004, the U.S. Governmental Accountability Office has pointed out that greater coordination between federal representative payment systems and state courts with guardianship jurisdiction would benefit vulnerable individuals with fiduciaries who make financial decisions on their behalf. In May 2013, the federal interagency Elder Justice Working Group further highlighted such coordination as a way to reduce financial exploitation by fiduciaries.

The Commission proposed — and in August the ABA House of Delegates adopted — an Association Resolution urging courts and government agencies with payee programs “to collaborate with respect to information sharing, training and education in order to protect vulnerable individuals . . .” Thus, now the Commission can have a voice in the ongoing discussion to boost coordination. As a start, the Commission worked with the Social Security Administration to identify an SSA designee for each of the four state WINGS groups.

**3rd World Congress on Adult Guardianship**

Another exciting Commission venture in 2013 has been its participation on the planning committee for the 3rd World Congress on Adult Guardianship, set for May 28–30, 2014 in Washington, DC. The National Guardianship Network is hosting the event, with the International Guardianship Network. The Congress has received funding from the Borchard Foundation Center on Law and Aging and the ACTEC Foundation. The Congress is an international gathering with participants from Europe, Asia, and North America. The first World Congress was in Japan in 2010 and the second in Australia in 2012.

Over 100 applicants from more than 20 countries submitted workshop applications, many of which have been combined into informative sessions organized in four overlapping tracks — courts, guardians, individuals, and decision-making. There will be plenary panels on diverse guardianship practices, and on implementing supported decision-making in countries across the globe. See [http://worldcongressguardianship.org](http://worldcongressguardianship.org).

**Directions of Reform: State Guardianship Legislation**

The Commission has tracked state guardianship legislation every year since 1988. In October 2013, the Commission participated in the National Guardianship Association’s (NGA) annual Legal Review, contributing a legislative summary to complement the NGA caselaw summary.


See the Commission’s website for state statutory charts on many aspects of guardianship law, including a new chart this year on restoration of rights, at [http://www.americanbar.org/groups/law_aging/resources/guardianship_law_practice.html](http://www.americanbar.org/groups/law_aging/resources/guardianship_law_practice.html).
In 2013, the Commission’s elder abuse accomplishments were focused in five areas.

**Policy and Practice**
The Commission...
- Provided background information and ideas to employees of the Consumer Financial Protection Bureau regarding initiatives of that agency’s Office of Financial Protection for Older Americans.
- Continued or established collaborations with financial industry representatives and regulators to enhance awareness of elder financial exploitation and to improve industry practices related to that problem.
- Consulted for the DOJ Office for Victims of Crime project to develop an online elder abuse curriculum for legal services attorneys, providing input on content and design of training.
- Provided technical assistance on financial exploitation and guardianship to a Department of Justice fellow involved in efforts to develop the agency’s elder justice webpage.
- Consulted for AARP’s State Advocacy and Strategic Initiatives division to provide technical assistance and training on financial exploitation and power of attorney abuse.

**Professional Education**
The Commission...
- Participated in 12 continuing legal education and other presentations on a variety of issues at national, regional, and state conferences and through webinars.
- Published four articles in two publications: *Victimization of the Elderly and Disabled*; and *Bifocal*, the Commission’s e-journal.
- Continued to serve on the editorial boards of the field’s pre-eminent publications, the *Journal of Elder Abuse and Neglect* and *Victimization of the Elderly and Disabled*.
- Continued work on two federally funded projects to inform professionals serving elder abuse victims about legal issues and state statutes.

**Research**
The Commission...
- Updated and expanded the Commission’s old charts on power of attorney statutory provisions and prepared a short and a long paper comparing those provisions.

**Consumer Education**
- The Commission continued working on a contract from the Consumer Financial Protection Bureau’s Office of Financial Protection for Older Americans to develop four national and 24 state-specific guides for lay fiduciaries.

**Media Awareness**
- Staff provided extensive background on financial exploitation and power of attorney abuse to the Wall Street Journal.
The work of the Commission includes developing resources on “legal services delivery, program development, and training for consumers and professionals.” A major part of this is coordinating the Commission’s role in the National Legal Resource Center (NLRC). The NLRC is a collaborative project funded by the United States Department of Health and Human Services’ Administration on Aging to support aging and legal services providers.

Our project partners in the NLRC include the Center for Elder Rights Advocacy, National Consumer Law Center, National Senior Citizens Law Center and The Center for Social Gerontology. The Commission’s role in the NLRC is to create, collect, and disseminate resources on issues in law and aging.

National Legal Resource Center
The NLRC had a good year. The public face of the NLRC is its website, www.NLRC.aoa.gov, which hosts content maintained by Commission staff. During the 12 months ending November 30, 2013, the site was updated 250 times and received 260,784 page views from 107,933 visitors.

Commission staff is now working with ACL/AoA to redesign, update, and modernize the NLRC home page. The redesigned site will incorporate social media feeds.

Email Discussion Lists
Email discussion lists continue to be a significant part of our work in this field.

Elderbar is the largest of the Commission’s discussion lists. It is a general discussion list that is free and open to any professional in law or aging community. The Elderbar list continues slow but steady growth. As of December 1, Elderbar has 914 active subscribers, up from 860 a year before. Over the course of the year, Elderbar carried more than 300 messages.¹

Elderlink is a discussion list for ABA members and staff with an interest in law and aging. As of December 1, Elderlink has 117 active subscribers, up from 79 subscribers a year ago.

Collaborate is the Commission’s email discussion list on elder mediation. The year saw significant growth in Collaborate from 281 active subscribers to 471 as a result of inviting members of the Association for Conflict Resolution’s Section on Elder Decision-Making and Conflict Resolution to join the list. The rate of postings on Collaborate has more than doubled in the past year, from an average of four per month to nine per month.

¹ This reflects 11 months of data, the message count for December 2012 was lost in a software upgrade.
Publications

The Commission published two articles this year based on original research on legal assistance to older Americans. The Administration on Aging only collects the number of “units of service” and number of “unduplicated clients”—this high-level data results in a gap in understanding of the types of legal assistance provided to persons eligible for services under the Older Americans Act. To fill this gap, the Commission recruited and managed law student volunteers who requested statewide case service data in Legal Service Corporation format from legal service providers in about 25 states. By late 2012, statewide data from eight states had been gathered.

The first article highlighting this research, “A More Detailed Look at Legal Services by Older Americans Act Funded Providers,” ran in Bifocal’s April 2013 issue. The article reported on the results of the survey and provided total legal assistance broken down by Legal Service Corporation problem codes from the eight reporting states.

The second article, “Getting Our Priorities Straight,” was published in Bifocal’s August 2013 issue. This thought-provoking piece compared the reported case service data to general civil legal aid data and explored what the data may tell us about how well we are meeting the priority legal needs of older Americans with the greatest economic and social needs—to see if we have our priorities straight.

The two articles have stimulated significant interest and conversation about how legal service providers can best meet the needs of the neediest older Americans. The articles have been widely circulated inside the Administration and by Congressional staff.

Older Americans Act Efforts

Reauthorization of the Older Americans Act (OAA) continues as an ongoing effort. The Act originally passed in 1965 and has been periodically reviewed and reauthorized; the current authorizing statute expired in 2011. The NLRC is funded through the OAA, with the goal of supporting programs funded through the Act. The ABA adopted policy in 2010 supporting reauthorization based on recommendations from the Commission.

For over three years, the Commission has hosted periodic conference calls for aging and legal services advocates interested in reauthorization. This year, staff guided the call participants through generating a common vision and principles for reauthorization published in the June issue of Bifocal.

The latest reauthorization bill was filed in September as S-1562. The bill passed out of Committee and was referred to the Senate floor on October 30. The forum participants met in person during the November National Aging and Law Institute and received a briefing on the bill from staff of the Senate committee on Health Education Labor and Pensions (HELP).

Law Student Interns and Externs

The Commission is committed to developing the next generation of law and aging advocates and, to that end, supports a strong internship and externship program. These law students engage in substantive research, write articles, and attend substantive and policy briefings, giving them a well-rounded exposure to issues and policy in law and aging.

For years, the Commission focused on recruiting two paid summer interns each year. Over the past five
years, funding to pay interns has become very difficult to find and staff has shifted to hosting law students who are either unpaid interns or who are externs for academic credit. Students are now also recruited for the spring and fall semesters. In 2013, we hosted two students each semester. Three of the six law students worked the equivalent of a full-time schedule. Two students are already committed for Spring 2014 and two for Summer 2014.

**Inter-ABA Collaboration**

For a few years, the Commission has organized and hosted quarterly “ABA Aging and Law Networking Calls.” The calls are open to ABA entity leaders and staff with an interest in collaboration on CLE programming, publication planning, discussion of policy proposals, and awareness of law and aging issues. Interest and participation in the calls grew in 2013.

In fact, Commission efforts to encourage inter-ABA collaboration on law and aging issues were recognized by the ABA’s Center for Professional Development this year. The Commission received a 2013 “Partner Appreciation Smart Decision Award” to recognize the “bucket meeting” brainstorming and information-sharing session organized by Commission staff during a visit to ABA headquarters in Chicago.

This successful approach to collaboration on law and aging issues is particularly important for the ABA—the Association does not have an elder law entity. Everyone benefits from the Commission’s leadership and focus on these important issues.

---

Learn more at: [www.americanbar.org/aging](http://www.americanbar.org/aging)
2013 Overview

Commission Revenue

The Commission’s operating budget is made up of core funding from ABA general revenues that provide about half of the funds needed to run the Commission. The remainder comes from grants, contracts, and donations.

Looking back over five years, the annual Commission revenues have ranged from $930,000 to a high of $1.3 million, depending on the number and size of outside funding sources in any given year. Total revenues for 2012-13 were $944,933, including ABA funds.

The grant world is quite changeable and project-focused, so projecting operating income in the future is challenging. The solicitation of private donations has necessarily become a priority for the Commission. The Commission is a program of the ABA’s Fund for Justice and Education, a 501(c)(3) charitable organization, so contributions to the Commission are tax deductible.

The pie chart shows the breakdown of the Commission’s revenues for the 2012-2013 fiscal year.

More than 93 percent of the Commission’s revenues support its personnel.
Background
In 2012 the Consumer Financial Protection Bureau (CFPB) contracted with the Commission to develop a package of easy-to-understand booklets to help financial caregivers.

The CFPB released the four guides for “lay fiduciaries” entitled Managing Someone Else’s Money in late 2013.

Four Guides
The guides cover four types of fiduciaries:

- Agents under power of attorney
- Guardians of property (sometimes known as conservators)
- Trustees under revocable living trusts, and
- Government benefits fiduciaries (Social Security representative payees and VA fiduciaries).

Guide Audience
The primary audience for the guides is family members and friends with legal authority to handle an incapacitated person’s funds. Millions of people have legal authority to manage money for a family member or a friend, and the number may grow with the aging of the population and the rising number of individuals with disabilities. But the booklets have practical tips for managing someone else’s money that could be useful to informal caregivers as well.

State Guides and Replication Tips
The four new guides are for a national audience, so they don’t address requirements in particular states. However, in the coming year, the CFPB will publish six sets of state-specific guides based on the national models, written by the Commission with input and information from state professionals.

The state guides are for Arizona, Florida, Georgia, Illinois, Oregon, and Virginia. These states were selected because they have a high number or percentage of older residents, and also because they are located in different parts of the US.

The state guides will address requirements imposed by each state’s laws as well as resources available to people in these states. Also, CFPB will publish replication instructions so that interested professionals and organizations in the remaining states can create their own Managing Someone Else’s Money guides.

Fiduciary Guides Online and in Print
You can download the guides for free on the CFPB’s website at www.consumerfinance.gov/managing-someone-elses-money.

You can now order free print copies of the guide as well.

For single or small orders, go to http://publications.usa.gov.USAPubs.p?NavCode=K&searchText=CFPB.

Free bulk orders are available at http://promotions.usa.gov/cfpbpubs.html.
2013’s Quarterly CLE Webinars

Did you miss out on any of our live webinars? You don’t have to miss the great content presented! Visit www.ShopABA.org and use the product codes highlighted below to learn more about this year’s webinars.

Screening and Working with Older Clients with Diminished Capacity: Practical Tools and Strategies (10/24/13)

Lawyers are increasingly faced with the challenge of making accurate assessments of clients’ legal capacity to make decisions and engage in legal transactions. This program will:

• Provide a practical approach and process for client capacity screening by attorneys
• Describe warning signs of diminished capacity in elderly clients
• Share clinical background on the nature, variations, and progression of cognitive impairments
• Give strategies for maximizing clients’ capacity
• Offer practical guidelines for utilizing mental health professionals effectively

Faculty: Dr. Daniel J. Marson, Charles Sabatino
Product Code: CET13SWOCDR

When Adult Guardianship Crosses State Lines: A Uniform Act to Address Jurisdictional Issues (7/30/13)

The faculty discuss the basics of the Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act, including:

• Provisions on initial jurisdiction
• Case transfer between states
• Out-of-state recognition and enforcement orders
• Other practical applications

With our increasingly mobile society, attorneys frequently face interstate guardianship problems.

Faculty: David English, Suzanne Walsh, Erica Wood
Product Code: CET13UAGCDR

Advance Directives and Estate Planning for LGBT Adults (4/17/13)

An overview of the unique issues that arise when doing advance care and estate planning for same-sex couples, including:

• Relationship recognition
• Document preparation
• Financing elder care
• Medicaid spousal impoverishment protections
• Transfer tax concerns
• Employer sponsored retirement plans
• The impact of possible changes in the legal landscape

Faculty: David Godfrey, Christy Mallory, Thomas Sciacca
Product Code: CET13ADACDR

Advising Grandparents Raising Grandchildren (1/31/13)

An overview of the different legal relationship options available to a family with a child being raised by grandparents or other relatives. According to the 2012 Census, more than 7.8 million children under the age of 18 live in households headed by grandparents or other relatives. A majority of these children are living with relatives informally, not placed through court action. These families face a myriad of legal issues ranging from how to establish a legal relationship with the child to how to access education, health care, and other benefits for the child.

Faculty: Ana Beltran, Heidi Redlich Epstein, David Godfrey
Product Code: CET13GRGCDR

2013's Quarterly CLE Webinars

Did you miss out on any of our live webinars? You don’t have to miss the great content presented! Visit www.ShopABA.org and use the product codes highlighted below to learn more about this year’s webinars.

Screening and Working with Older Clients with Diminished Capacity: Practical Tools and Strategies (10/24/13)

Lawyers are increasingly faced with the challenge of making accurate assessments of clients’ legal capacity to make decisions and engage in legal transactions. This program will:

• Provide a practical approach and process for client capacity screening by attorneys
• Describe warning signs of diminished capacity in elderly clients
• Share clinical background on the nature, variations, and progression of cognitive impairments
• Give strategies for maximizing clients’ capacity
• Offer practical guidelines for utilizing mental health professionals effectively

Faculty: Dr. Daniel J. Marson, Charles Sabatino
Product Code: CET13SWOCDR

When Adult Guardianship Crosses State Lines: A Uniform Act to Address Jurisdictional Issues (7/30/13)

The faculty discuss the basics of the Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act, including:

• Provisions on initial jurisdiction
• Case transfer between states
• Out-of-state recognition and enforcement orders
• Other practical applications

With our increasingly mobile society, attorneys frequently face interstate guardianship problems.

Faculty: David English, Suzanne Walsh, Erica Wood
Product Code: CET13UAGCDR

Advance Directives and Estate Planning for LGBT Adults (4/17/13)

An overview of the unique issues that arise when doing advance care and estate planning for same-sex couples, including:

• Relationship recognition
• Document preparation
• Financing elder care
• Medicaid spousal impoverishment protections
• Transfer tax concerns
• Employer sponsored retirement plans
• The impact of possible changes in the legal landscape

Faculty: David Godfrey, Christy Mallory, Thomas Sciacca
Product Code: CET13ADACDR

Advising Grandparents Raising Grandchildren (1/31/13)

An overview of the different legal relationship options available to a family with a child being raised by grandparents or other relatives. According to the 2012 Census, more than 7.8 million children under the age of 18 live in households headed by grandparents or other relatives. A majority of these children are living with relatives informally, not placed through court action. These families face a myriad of legal issues ranging from how to establish a legal relationship with the child to how to access education, health care, and other benefits for the child.

Faculty: Ana Beltran, Heidi Redlich Epstein, David Godfrey
Product Code: CET13GRGCDR
Fall 2013 Intern and Extern Testimonials

Candace Cliatt

Spending the semester as an extern for the Commission gave me a look into the issues that affect the senior population. Prior to my position as an intern, I did not know of all the challenges faced by seniors in trying to access basic human needs such as income and health care. I was also unaware of how the maltreatment of seniors affects not only those with advanced age, but bears upon us all.

I was amazed by how many opportunities I was given to witness the “real world” of Washington politics. In the first few weeks, I attended a Senate hearing and various briefings and meetings with government agencies. However, I must say that the most rewarding experience came when I was able to hear oral argument before the Supreme Court.

The in-office work proved to be just as fulfilling. I was responsible for interpreting and analyzing state statutes and researching case law in multiple jurisdictions. I also received the opportunity to submit an article to *Bifocal*. Furthermore, the entire staff was welcoming and helpful. The friendly office environment made it so I was never hesitant to ask questions nor intimidated to offer my opinion. The knowledge and experience I gained here at the Commission is truly invaluable. I would definitely recommend this experience to other law students!

Daniel Joslyn

After my experience this fall, I would definitely recommend an internship with the Commission on Law and Aging to any law students interested in pursuing a career in elder law. I had the opportunity to work with attorney Erica Wood on original research in the field of adult guardianship, completing an extensive comparison of state statutes on the subject. Ms. Wood is a nationally recognized expert in this field and there was no better way to jump into the subject.

I also studied how the Affordable Care Act might affect the elderly, completing an article providing advice for consumers to avoid health care fraud. Through the Commission I had the opportunity to work directly with elder law experts from across the nation.

I also had a wide variety of exciting opportunities throughout the semester, viewing oral arguments at the Supreme Court, attending briefings at the U.S. Capitol, and participating in a forum at the Federal Trade Commission. Interning with the Commission opens a myriad of doors for any law student, and the experience was certainly a positive one.

We are looking for law student interns and externs.

**Who are we?**
- We are a research and policy think tank on law and aging
- A Commission of 15-member, multi-disciplinary, national experts in law and aging and a staff of seven.

**Contact**
- David Godfrey: David.Godfrey@Americanbar.org

**What you will do?**
- Research major substantive or policy issues as well as short research assignments
- Attend law & policy briefings
- Network with experts in aging policy & law, as well as administrative & legislative staff
- Develop contacts that can last a lifetime
Inside the Commission

Find these resources, and more, online at: http://ambar.org/cola.


• A new Commission resource is now available online. The "POLST Program Legislative Comparison Chart" is current as of January 1, 2014. Check it out at: bit.ly/1m7S08d.

• A free pdf version of the National Academy of Sciences' Elder Abuse Workshop Summary is now available for download: http://bit.ly/1cKvMrF. The publication includes insight from Commission staff Charlie Sabatino and Lori Stiegel, who spoke at the 2013 conference.

• The National Aging and Law Institute was held Nov. 7-9, 2013 in Washington, DC. Commission staff participated in the planning of the conference. Are you curious about what 2014 holds for this respected event? See p. 60 for details on this year's conference!

• As families gathered together during the end-of-year holiday season, we found that these two resources were especially popular on our website:

  • Our booklet Giving Someone a Power of Attorney For Your Health Care offers a simple durable power of attorney for health care to use in nearly all states: http://bit.ly/1hfPi2s

  • Our publication Consumer's Tool Kit for Health Care Advance Planning offers a valuable structure for discussing advance care planning with loved ones: http://bit.ly/1dSOWuj

Sign up for your own copy of Bifocal

Were you forwarded this issue of Bifocal? Sign up to receive it directly and stop worrying about someone else remembering to hit the forward button.

Subscribe by sending an email to Trisha.Bullock@americanbar.org with “Subscribe to Bifocal” in the subject line.
**Introduction**

Much has been said on the fact that we are living in the era of a demographic revolution: the revolution of ageing. The data and the implications on the dramatic change in the demographic composition of the human race are well-known, and have been reviewed in recent decades in innumerable articles, studies, and books. I would go so far as to say that there exists today a fairly broad consensus that one of the most important social policy issues that will engage the entire world in the 21st century is the issue of the ageing of society.

There are those who say that at issue is no less than a “social revolution,” and even if we do not agree with this term, it is undoubtedly a change in the human experience of a type that has never before been experienced in human history: There has never before been a time when a person could rise in the morning, go out into the public space, and every fourth person he or she meets in the street is above the age of 65. Looking inward, the central challenges in the domestic political sphere will therefore be connected to the various aspects of the ageing of the societies, and for the broad implications that this phenomenon will have on economics, health, and society.

This social demographic revolution has also legal implications. Elder law and the issues of rights of older persons have become key elements in legal reforms all over the world. New and novel pieces of legislation along new precedents and court-based (common-law) developments can be found almost in any country around the world. This is true not only on the national-law level but on the international-law level as well. As of today, one of the most important discussions at the international level is whether there is a need for a new human rights convention regarding the rights of older persons. I have written in the past on this issue (Doron & Apter, 2010, 2010a; Doron & Spanier, 2010; Doron, Brown, & Somers, 2013).

In this short article, which is based on my presentation in New York as part of the fourth meeting of the UN Open Ended Working Group on Ageing on August 13, 2013, I argue that the need for such a convention rests, amongst other things, on the need for social justice for older persons around the world.

**On Professor Nancy Fraser’s Model for Social Justice**

My argument is based on a theoretical model of social justice. This model was presented by Professor Nancy Fraser of the New School for Social Research, New York, NY, in her article entitled, “From Redistribution to
Recognition? Dilemmas of Justice in a ‘Post-Socialist’ Age” (Fraser, 1995). It is a philosophical argument comprising four different parts, which I will briefly present below:

**Injustice of Distribution vs. Injustice of Recognition**

In the first phase of the argument, Professor Fraser draws a distinction between two different kinds of social injustices: economic-distributive injustice and cognitive-cultural injustice. According to her, the distinction is based on the fact that:

The first is socioeconomic injustice, which is rooted in the political-economic structure of society. Examples include exploitation (having the fruits of one’s labour appropriated for the benefit of others); economic marginalization (being confined to undesirable or poorly paid work or being denied access to income-generating labour altogether); and deprivation (being denied an adequate material standard of living).

The second kind of injustice is cultural or symbolic. It is rooted in social patterns of representation, interpretation, and communication. Examples include cultural domination (being subjected to patterns of interpretation and communication that are associated with another culture and are alien and/or hostile to one’s own); nonrecognition (being rendered invisible via the authoritative representational, communicative, and interpretative practices of one’s culture); and disrespect (being routinely maligned or disparaged in stereotypic public cultural representations and/or in everyday life interactions).” (pp. 70-71).

**Exploited Classes, Despised Classes and Bivalent Collectivities**

After Professor Fraser presents both types of the different injustices, she then presents what is derived from them – in other words, a spectrum of various types of “collectives” or “classes.” On one end of this group spectrum are the exploited classes: “At this end let us posit an ideal-typical mode of collectivity whose existence is rooted wholly in the political economy. It will be differentiated as a collectivity, in other words, by virtue of the economic structure, as opposed to the cultural order, of society. Thus any structural injustices its members suffer will be traceable ultimately to the political economy.” (p. 75). In practice, the classic example of such an exploited “collective” is, of course, the “working class,” at least in its Marxist conceptualization.

On the other end of the collective spectrum, Professor Fraser describes the following group: “At this end we may posit an ideal-typical mode of collectivity that fits the recognition model of justice. A collectivity of this type is rooted wholly in culture, as opposed to in political economy. It only exists as a collectivity by virtue of the reigning social patterns of interpretation and evaluation, not by virtue of the division of labor. Thus, any structural injustices its members suffer will be traceable ultimately to the cultural-valuational structure.” (p. 76). In practice, a good example of such a decentralized collectivity is, for example, the group of homosexual people who, despite the fact that they are dispersed across all parts of the economic-standing class of capitalist society, still suffer from scorn and humiliation due to their sexual orientation.

Finally, in a range between the two edges of the spectrum, Professor Fraser presents the collectives that she calls “bivalent,” which suffer both from economic and cultural injustice. As she says: “When we consider collectivities located in the middle of the conceptual spectrum, we encounter hybrid modes that combine features of the exploited class with features of the despised sexuality. These collectivities are ‘bivalent.’ They are differentiated as collectivities by virtue of both the political-economic structure and the cultural-valuational structure of society.” (p. 78). According to Professor Fraser, belonging to a gender or racial group are examples of bivalent collectivities, in which both encompass dimensions of economic injustices alongside cultural and symbolic injustices.

**Affirmative Remedy vs. Transformative Remedy**

After presentations of the various types of injustices, and presenting the types of social collectives derived from them, Professor Fraser goes on to present the various types of “remedy,” which purport to provide a solution for the various social injustices. Similar to the previous phases, Professor Fraser draws a conceptual distinction between two different types of social policy whose purpose is to resolve or to remedy the injustice: affirmative remedy and transformative remedy. Or, in her words:

My aim is to distinguish two broad approaches to remedying injustice that cut across the redistribution–recognition divide. I shall call them “affirmation” and “transformation” respectively...
By affirmative remedies for injustice, I mean remedies aimed at correcting inequitable outcomes of social arrangements without disturbing the underlying framework that generates them. By transformative remedies, in contrast, I mean remedies aimed at correcting inequitable outcomes precisely by restructuring the underlying generative framework. The nub of the contrast is end-state outcomes versus the processes that produce them. (p. 82).

Integration: The Results of an Intersection between the Types of Injustices and the Types of Remedies

After presenting the various types of injustices, the various types of social collectivities that are derived from them, and the patterns of the “remedy” for the various types of injustices, Professor Fraser, in effect, moves on to the operative “result” of the integration of the matrix of these classifications. The result is the following table (p. 87):

Types of Remedy of Social Injustice

<table>
<thead>
<tr>
<th>Affirmation</th>
<th>Transformation</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Redistribution</strong></td>
<td><strong>Socialism</strong></td>
</tr>
<tr>
<td>The liberal welfare state</td>
<td>Deep restructuring of relations of production</td>
</tr>
<tr>
<td>• Surface reallocations of existing goods to existing groups</td>
<td>• Blurs group differentiation</td>
</tr>
<tr>
<td>• Supports group differentiation</td>
<td>• Can help remedy some forms of misrecognition</td>
</tr>
<tr>
<td>• Can generate misrecognition</td>
<td></td>
</tr>
<tr>
<td><strong>Mainstream multiculturalism</strong></td>
<td><strong>Deconstruction</strong></td>
</tr>
<tr>
<td>• Surface reallocations of respect to existing identities of existing groups</td>
<td>Deep restructuring of relations of recognition</td>
</tr>
<tr>
<td>• Supports group differentiation</td>
<td>• Blurs group differentiation</td>
</tr>
</tbody>
</table>

As the table shows, each intersection of a type of injustice with a type of change leads to a different pattern of social policy. From a description of matters thus far, it is fairly clear that Professor Fraser, on the conceptual level, supports a policy that integrates a transformative remedy on both of the injustice fronts – the redistributive as well as the recognitive. Or, as she puts it: “For both gender and ‘race’, the scenario that best finessees the redistribution–recognition dilemma is socialism in the economy plus deconstruction in the culture.” (p. 91).

Status and Injustice for Older Persons

At this point, I would like to incorporate the knowledge about the ageing, along with Professor Fraser's theory of social justice that was presented above, and to ask first: From what “injustice” do older people suffer? And what “type” of social group are they? I will risk stating that, generally speaking, older persons suffer from what Professor Fraser would call distributive injustice. The basis for this argument is supported by a wide range of well-known data relating to poverty rates of older persons around the world: a significant portion of the older population experiences poverty. In many countries around the world, many older persons suffer from moderate or severe nutritional insecurity, or experience economic distress. I believe that there is sufficient evidence to prove that there is truth to the argument that older persons across the globe indeed suffer from “distributive injustice.”

I now arrive at the central question: Do older persons suffer – in addition to the distributive injustice – from cultural and symbolic injustice as well? My answer to this question is: Yes. Older persons are not only an exploited class, but a disparaged class as well. They are a disparaged class due to the fact that they suffer – significantly and substantively – from what is known as ageism. Ageism is a complex term, which is not easy to define. One of the key figures in connection with developing the boundaries of the term ageism and defining it is the late Dr. Robert Butler. One of the first definitions, known as “Butler and Lewis’s definition” of 1973, defined ageism thus (Butler and Lewis, 1973):

Ageism can be seen as a process of systematic stereotyping of and discrimination against people because they are old, just as racism and sexism accomplish this for skin color and gender. Old people are categorized as senile, rigid in thought and manner, old-fashioned in morality and skills [. . .] Ageism allows the younger generations to see older people as different from themselves, thus they subtly cease to identify with their elders as human beings.
Do older persons suffer from ageism around the world? Once again, I believe that there is ample evidence to suggest that the answer is yes. Older persons are discriminated because of their age at the work force; they are presented in a humiliated way in various popular media platforms; they are invisible to many key cultural institutions; and they are marginalized in major social activities. In most parts of the world, no one wants to be named: “old person.”

So - What Kind of “Social Justice” Do Older Persons Really Need?

At this stage, it is time to move to the socio-legal remedies. In my opinion, the socio-legal policies that have been adopted in many countries around the world in the sphere of social justice in old age have focused on the different aspects of affirmative remedy of the distributive injustice:

- Creating a social security system that is based on old age and survivor allowances alongside old age assured income systems;
- Adding long-term care (either in the community or in institutions) to social security schemes;
- Allocating resources to financing institutional frameworks for nursing care; or
- Creating a range of economic discounts and benefits for “senior citizens.”

These all focused on an attempt to redistribute revenues in a manner that would “correct” the injustice of the elderly poor.

On the other hand, thus far, in the vast majority of countries around the world, no effective and significant legal action has been taken as part of a coherent and clear social policy aimed to contend with the symbolic and cultural-recognition injustice of older persons. Reality in many cases is quite the opposite: Social policies increased and emphasized the aspects of weakness, illness, and disability of older persons, and in so doing, in effect, reflected and bolstered the disparagement and the humiliation from which older persons suffer.

My personal conclusion from the analysis presented above is clear: in the sphere of socio-legal justice for older persons, national and international focus should be shifted from the “well-known failure” of redistributive justice to the “unknown failure” of cultural and symbolic justice. More specifically, this conclusion is relevant to the current discussion at the international level regarding the need for a new and specific human rights convention for the rights of older persons.

Beyond all other arguments, the understanding that there is a real symbolic, cultural, and “recognitional” importance to a new international human rights convention exclusively dedicated to older persons – is of significance. It explains why even if legal rights of older persons can be currently indirectly addressed through existing human rights instruments – this is not enough: it will not resolve the existing socio-legal injustice older persons are experiencing. Only a new and exclusive human rights convention will symbolize and dignify our recognition of older persons as a fully equal group worthy of society’s respect.

References


Doron, I., & Spanier, B. (2012). International convention on rights of older persons: Where we were, where we are and where we are going? Global Ageing, 8(1), 7-16.


Prof. Israel (Issi) Doron is the Head of the Department of Gerontology, University of Haifa, Israel. He is also a former “International Commissioner” of the ABA Commission of Law and Aging.
The Checklist for Family Survivors is practical, methodical, detailed, and easy to read and follow. The book is a must-have for surviving family and friends tasked with organizing and settling an estate. With potentially hundreds of details to handle, survivors are often overwhelmed by these tasks. Each chapter of the Checklist for Family Survivors contains a brief description of the issues for the topic covered, followed by checklists and forms to help gather and organize the needed information. The forms and checklists included in the text are also included on an attached CD-ROM, making it possible to gather and save information in the book or on a computer.

The book opens with what needs to be done immediately after learning that a person has died such as: notifying family and friends, making funeral or memorial arrangements, and assuring the safety and security of persons, property, and pets. Subsequent chapters step the reader through building a team to organize and settle the estate and readying the estate for probate. The book covers how to collect and organize information on: the family and friends of the deceased; the assets the person owned; debts, wills and estate plans, and insurance; and how to deal with personal items (what to keep and what to toss). The final chapter offers ideas for the personal side of managing these matters with insight on dealing with grief, stress, and loss.

Despite its helpfulness in readying an estate for probate, the book is not a do-it-yourself guide to probate. Probate, or otherwise settling an estate, differs widely from state-to-state and estate-to-estate and depends on the laws of the state and the complexity of the estate.

Many estates are not good do-it-yourself projects and I have yet to read a book that successfully describes how to go it alone. The checklists and forms in the book will help the survivor gather and organize the information they need to help a probate or trust attorney settle the estate as efficiently as possible. Here lies a great value to the user of the book: gathering the information outlined in the book will save a lot repeat visits and calls for more information from an attorney.

Anyone named as executor or trustee of an estate should order a copy today, before it is needed. Reading it now, beginning to collect information, and keeping the book handy will mean less work needs to be done later, easing the stress placed on family and friends in an emotionally trying time. If I were an estate planning and probate attorney, I would give my clients copies of this book and encourage them to use it before they need and to keep it on hand for when they do need it.

David M. Godfrey is a Senior Attorney at the ABA Commission on Law and Aging.
John H. Pickering Award Call for Nominations

The ABA Senior Lawyers Division is accepting nominations for the 2014 John H. Pickering Achievement Award. The award honors the life and accomplishments of John H. Pickering, an outstanding lawyer who was involved in various pro bono activities and law-related societal issues affecting the elderly.

The award nominees shall have attained the age of 55 years; must be a lawyer or judge (not necessarily a member of the American Bar Association); shall have demonstrated throughout his or her career outstanding legal ability; shall have compiled a distinguished record of dedicated service to the profession and the community at large, and made significant contributions to the furtherance of access to justice for all.

The deadline for nominations is February 28, 2014. The award will be presented at the Senior Lawyer Division dinner, on August 7, 2014, held during the ABA Annual Meeting in Boston, MA.

To download application requirements and the nomination form, please visit: http://www.americanbar.org/groups/senior_lawyers/pages/JohnHPickeringAward.html.

ABA President James R. Silkenat urges families to discuss advance care planning or end-of-life care choices around the kitchen table – before loved ones are too sick or injured to speak for themselves.

Knowing the answers to questions like, “What’s more important—the length of life or the quality of life?” brings peace of mind to the dying as well as those who carry out the dying wishes.

The American Bar Association has developed tools to help you start the conversation.

- To review the resources available, go to ambar.org/healthdecisions.

Radio News Release

Discuss Your Dying Wishes Now

This Radio News Release was distributed Dec. 20. Aired by an estimated 1,969 radio stations, it reached an estimated audience of 8.4 million listeners.
As the American population ages, accommodating the needs of older Americans becomes more and more important to a myriad of businesses.

An elder-friendly law office is one that provides spatial and social accommodations for disabilities prevalent among older persons such as hearing loss, visual impairment, and mobility limitations.

By complying with the American with Disabilities Act (ADA) Accessibility Guidelines and making the other practical design decisions highlighted in this 22-page publication, you can improve an older client's experience in your office.

Product Code: 4280031PDF
Publication Date: December 2013
Price: $19.95
Visit www.shopABA.org to order!

Participants will learn:
• What agreements need to be in writing and why.
• The essential elements that need to be considered in drafting caregiver agreements.
• The importance of written caregiver agreements in complying with employment, tax and Medicaid laws.
• The role of written agreements in conflicts between family members regarding payment for care and services.

This program is based on a chapter in a book written by the presenters, Alzheimer's and the Practice of Law, available at www.ShopABA.org.

Program Faculty
• Kerry R. Peck, Peck Bloom, LLC
• Diana Law, Law ElderLaw LLP

Event Code: cet4fca
Register for this CLE webinar online at: www.AmericanBar.org/cle or by phone: 800.285.2221

What is the World Congress on Adult Guardianship?
The World Congress is an international gathering of those involved in guardianship. Participants come from around the world and represent academics, attorneys, court officials, disability advocates, fiduciaries, government officials, guardians, judges, and public trustees/guardians.

Each World Congress offers opportunities to learn and collaborate by bringing together those involved in adult guardianship, as well as aging, disability and elder rights from around the globe.

Why Should You Attend?
Anyone who is involved with guardianship regularly faces challenges at some point. The World Congresses present shared problems from new perspectives and offer ideas and solutions from multiple viewpoints, cultures and guardianship systems.
The American Bar Association Health Law Section
Presented a 90-Minute
CLE Premier Speaker Series Live Webinar on 1/13

Legal Issues Cancer Patients Face and How to be an Advocate
The ABA Health Law Section Breast Cancer Advocacy Task Force trains attorneys across the country to advocate for breast cancer and other cancer patients.
This program was an overview of the legal issues facing cancer patients including:
• Employee benefits
• Labor and employment
• End-of-life decision-making
• The impact of the Affordable Care Act

Learn also about legal advocacy options—how can you help.
Learn more about the work of the ABA Health Law Section Breast Cancer Advocacy Task Force at: http://www.americanbar.org/groups/health_law/breast_cancer_task_force.html.

Distinguished Faculty
• Joanna Fawzy Morales, CEO, Triage Cancer
• Linda Wilkins, Wilkins Finston Law Group LLP and Susan G. Komen Foundation Board
• Dr. Otis Brawley, MD, FACP (Moderator), Chief Medical and Scientific Officer, American Cancer Society

Access Online Now!
Phone: 800.285.2221
Online: http://www.americanbar.org/cle/free_cle/on_demand.html#january
Event Code: CEM4JAN

Premier Speaker Series
The CLE Premier Speaker Series is a monthly program where ABA members can earn FREE continuing legal education credits while listening in on substantive content.
Earn up to 18 hours of FREE CLE credit every year through ABA programs featuring today’s most influential legal practitioners. Just one of the ways that we’re increasing the value of ABA membership and advancing the legal profession.

Live Webinar Tuition
ABA Members: FREE
General Public: $195

Special Value to Solo and Public-Service Lawyers
If you are a licensed attorney in the U.S. and are a solo practitioner in private practice, judge, or lawyer in government or legal/public service (working for not-for-profit organizations engaged primarily in legal- or policy-based advocacy on behalf of low income persons), you are eligible for a special rate.

Bar Admittance Annual Dues
2014-2013 Free
2012-2010 $100
2009-2008 $125
2007-2004 $145
2003 and Earlier $225

With up to 18 free hours of CLE credit a year, ABA membership is a great value to solo or public-service lawyers. Find out more online at: www.AmericanBar.org/membership.

Unable to Attend?
As an added member benefit, archive recordings of CLE Premier Speaker Series programs from the past three months are now available for FREE CLE credit. Upcoming programs will be posted five days after their broadcast date.
Save the Date!
Planning is underway for the—

New National Aging and Law Conference
October 16 & 17, 2014
Washington, DC

This October 16-17, the American Bar Association's Commission on Law and Aging will sponsor the New National Aging and Law Conference in Washington, DC.

This event is a renewal of the National Aging and Law Conference that was last held in December 2010 and a replacement for the NAELA National Aging and Law Institute that was held for the last time in 2013.

For information, contact the Commission's David Godfrey at: David.Godfrey@Americanbar.org.

Attendees will enjoy:
• A unique agenda focusing on substantive core issues in elder law
• A track focusing on legal service development and delivery
• High-quality written materials
• Very low registration rates and an agenda designed to minimize travel costs
• Limited conference size, with opportunities to get to know your fellow attendees

More details and a call for speakers will be available soon!

Older Americans Month 2014
Each May, the nation celebrates Older Americans Month to recognize older Americans for their contributions and provide them with information on staying healthy and active. This year, the theme focuses on injury prevention: Safe Today. Healthy Tomorrow. Information coming soon to www.ACL.gov.

Law Day 2014
As we approach the 50th anniversaries of the Civil Rights Act of 1964 and the Voting Rights Act of 1965, the 2014 Law Day theme, American Democracy and the Rule of Law: Why Every Vote Matters, is a call to reflect on the importance of a citizen’s right to vote and the challenges still faced in ensuring the opportunity to participate in our democracy. Visit www.lawday.org for updates and information.