
WEBSITE: Some supplemental cases are assigned, as well as some supplemental materials and, as mentioned above, supplemental statutes will be assigned. Those will be posted on the class CANVAS website.

Also, certain Rules of Professional Conduct may be assigned. The ABA version of the RPCs are found at http://www.abanet.org/cpr/mrpc/mrpc_toc.html

We will be using a system for class participation questions that requires you to have either a laptop or cellphone with you in class. We will be using it in class every day for class participation, and for measuring your participation for points towards your final grade. At this time, the exact program has not been selected. There may be a small registration fee required

COURSE OBJECTIVES: This course surveys significant issues in elder law. It will explore professional issues involved in representing elderly clients as well as key statutes and regulations of particular importance to seniors. It aims to do so in a way that is not only interesting to law students regardless of career plans but also practical for those considering a career that involves advising older adults and those who assist elderly friends and family members. This is a survey course, because the scope of elder law includes both planning for disability and death and maximizing government benefits as well as specialized litigation, such as elder abuse and age discrimination. Elder law attorneys rarely handle the entire spectrum of issues and instead focus on certain aspects. Topics covered in the class will include models of elder law practice, ethical issues, age discrimination, guardianship and disability planning, income maintenance and the Social Security system, access to health care and the role of Medicare and Medicaid, housing concerns (including nursing home and assisted living issues), elder abuse and neglect, and end of life care. Particular attention will be paid to the impact that cognitive and physical impairments can have on legal rights and the ability to exercise those rights.

GRADING: 85% of your grade will be based on the final exam. The remaining 15% will be based on class participation, which will include correct responses to “clicker questions” and
participation in small group exercises. The clicker questions are multiple choice questions that you will answer via your laptop or cell phone. During each class, there will be a few questions asked to which you will be able to respond with your laptop or phone (with a time limit). You will get 1 class participation point for each class where you are present and responding and one point for each correct answer. Every class, there will be straightforward questions based on the class reading and/or lecture. As a general rule, I do not allow any make-up work for audience polling question points when you miss class. My expectation is that everyone needs to miss class from time to time, and that should have no significant effect on your grade if you have overall good attendance and preparation. I have made exceptions for students who have had very serious illnesses or family circumstances but otherwise, there are no exceptions, even for clinic-related absences and travel for moot court or other law school related activities.

**The class will be podcast with audio only.** Please note that I do not wear the portable microphone and use only the podium mike, and students are not miked, so the audio quality of the podcasts will not be reliable. Podcasts are not intended as substitutes for attending class but are provided only as a courtesy to students who have to miss class.

**Attendance:**

In general, regular class attendance is required. I don't expect perfect attendance, but if you disappear from class for a significant number of days, I may invoke the class attendance policy, which is triggered when you attend “fewer than 80 percent of class session” by the mid-point of the course. See [http://www.law.washington.edu/Students/Academics/Rules.html](http://www.law.washington.edu/Students/Academics/Rules.html).

If you have a personal emergency that requires extended absences from class, please let me know.

**READING ASSIGNMENTS:**

NOTE: Occasionally I will schedule guest speakers, and the assignment schedule will need to be adjusted to accommodate the speakers’ schedules. Also, I intend to assign some supplemental reading outside of the casebook, which will be posted to the CANVAS website.

1. Intro to Elder Law, Ethical issues. Kohn 20-45; Bernard Krooks and Kameron Kirkevold, Why Elder Law

2. Surrogate Decisionmaking Part 1: Kohn 97-142

3. Surrogate Decisionmaking Part 2: Kohn 142-168
4. Surrogate Decisionmaking Part 3: Kohn 168-194

5. Legal status of Old Age and Age Discrimination: Kohn 47-95

6. Income in Old Age: Kohn 195-244

7. Financing Health Care Part 1: Kohn 245-284

8. Financing Health Care Part 2: Kohn 284-328


10. Housing and Longterm Care Part 1: Kohn 349-399

11. Housing and Longterm Care Part 2: Kohn 399-450

12. Housing and Longterm Care Part 3: Kohn 450-480

13. Elder Abuse and Neglect: Kohn 481-525

14. Special Estate Planning Issues: supplemental materials to be assigned

15. Death and Dying: 527-573