

ELDER LAW CLINIC

Program Description

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In 2006, Thomas Goode Jones School of Law received a grant from the U.S. Bureau of Justice to establish an Elder Law Clinic and Resource Center for aging constituents in the community. The law school launched the Elder Law Clinic in the Spring 2007 semester.

The Elder Law Clinic is an elective course for three hours that satisfies the Professional Skills requirement. The course includes three requisite components: classroom, client services and community education presentations to various elder audiences in the region.

In the classroom, both faculty and invited guests teach various aspects of elder law practice with an emphasis on practice in Alabama. Classroom topics include ethics and competency, guardianships and durable powers of attorney, wills and trusts, advanced directives and living wills, elder abuse and benefit programs. In the classroom, the clinic also meets as a firm to confer on cases, clients and courses of action.

The students, under attorney supervision, provide legal services to elderly clients. Most clients are low-income, and the Clinic provides services related to estate planning, wills and trusts, end-of-life and medical decision making tools, probate issues and various benefit programs. At this point, the Elder Law Clinic receives most clients by referral from Legal Services of Alabama, although more clients are presenting to the clinic from personal referrals and the community education program. In the first semester of operation, twelve students worked in pairs to serve thirteen clients. Midway through the second term, four students had provided services to fourteen clients.

In the final third of the term, students prepare and present community education programs on selected elder law issues to lay audiences in the area. Clinic students present their education programs at area Senior Centers operated by the Central Alabama Aging Consortium and the Alabama Department of Senior Services and at HUD-supported low-income housing facilities for people over 60. In the first semester of operation, Clinic students addressed over 140 people in three counties. Their presentations addressed consumer protection and predatory lending practices, the legal effects of late-in-life marriages, defenses to involuntary guardianships, the effect of the Deficit Reduction Act of 2005 on the family farm, Medicaid eligibility and planning strategies, Special Needs Trusts, causes of actions against nursing homes, and appeals of adverse Medicaid decisions.

The Elder Law Clinic has collaborated with several area agencies and experts to design and implement accommodations for clients with vision, hearing and mobility impairments. Professor Baker consulted with experts in these fields from Jacksonville State University, Faulkner University's Project Key, the Alabama Institute for Deaf and Blind and the Alabama Department of Vocational Rehabilitation, and he also corresponded with regional representatives from the Helen Keller National Center for these issues. The assistive technology lab at the Institute for Deaf and Blind in Talladega, Alabama, provided assessment of assistive technology to increase

the Clinic's capacity to serve clients with these special needs and to maximize access in the Law Library, and the Department of Vocational Rehabilitation has provided expertise from its Director of services for deaf clients and a rehabilitation engineer to ensure best use of space for clients with mobility impairments. With their guidance, the Elder Law Clinic and the Resource Center in the library have deployed state-of-the-art assistive technology to meet the special needs of our elderly constituents. This technology also increases the capacity of the law school and university to serve students with special needs and may provide the basis for future clinics serving these populations.