

LAW C148: ELDER LAW

| Item | Value |
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| Curriculum Committee Approval Date | 02/21/2025 |
| Top Code | 140200 - Paralegal |
| Units | 1.5 Total Units |
| Hours | 27 Total Hours (Lecture Hours 27) |
| Total Outside of Class Hours | 0 |
| Course Credit Status | Credit: Degree Applicable (D) |
| Material Fee | No |
| Basic Skills | Not Basic Skills (N) |
| Repeatable | No |
| Open Entry/Open Exit | No |
| Grading Policy | Standard Letter (S), • Pass/No Pass (B) |

Course Description

Substantive and procedural law and federal, state, and administrative regulations, as they pertain to the senior population, including Social Security, Medicare, Medi-Cal/SSI, funding sources, pensions, residential and/or long term care, and applicable probate statutes. ADVISORY: LAW C100 or LAW C142. Transfer Credit: CSU.

Course Level Student Learning Outcome(s)

1. Evaluate the role of the paralegal and the ethical issues applied to estate planning and elder law procedures based on a given fact situation.
2. Assess, examine, and prepare the court documents to commence and prosecute legal actions to protect an elderly client when given a specific fact situation.
3. Analyze, evaluate, and distinguish issues facing the elder client, including capacity, abuse, finances, insurance, Medicare, and contracts, when given a specific fact situation.

Course Objectives

- 1. Define elder law
- 2. Identify ethical issues related to elder law.
- 3. Describe and differentiate advance directives and powers of attorney.
- 4. Describe the conservatorship process.
- 5. Explain the purpose of a guardianship.
- 6. Explain the entitlement to and calculation of retirement benefits.
- 7. Describe how disability benefits are calculated.
- 8. Explain geriatric medicine.
- 9. Identify HIPPA issues as it relates to an elder.
- 10. Describe the benefits provided under Medicare.
- 11. Identify issues arising under Medicaid.
- 12. Explain the process for protecting elders from abuse, neglect, and financial exploitation.
- 13. Describe housing issues that arise for elders.
- 14. Discuss financial matters as they relate to elders including retirement plans, annuities, insurance, bank accounts, and taxation.

- 15. Describe end of life issues including the right to die, funerals, and dealing with grief.

Lecture Content

Introduction and Course Overview 3.5 Hours What s Elder Law? Aspects of Aging Ethical Considerations Healthcare for the Elderly 3.5 Hours Insurance Sources of Assistance Financing Ethical Considerations Employment/Income Issues 3.5 Hours Age Discrimination Employment Act Veteran s Benefits SSI Pension Plans Other Assistance Conservatorships 3.5 Hours Court Procedures Disabled Adults Ethical Considerations Estate Planning 3.5 Hours Property Wills Trusts Estate Taxes Insurance Ethical considerations Elder Abuse 3.5 Hours Definition Legislation Victims of Crime Protective Services Other Resources Ethical Considerations Assistance for the Elderly 3.5 Hours Federal and State Older American Act Other Resources Ethical Considerations Examination 2-3 Hours

Lab Content

Students will work on completing the necessary forms for a Conservatorship or other proceeding associated with an elder law action.

Method(s) of Instruction

- Lecture (02)
- DE Live Online Lecture (02S)
- DE Online Lecture (02X)

Instructional Techniques

Multiple methods of instruction will be used to enhance student understanding of the paralegal profession. Lectures, discussions, forums, interactive activities, and group projects will be utilized to facilitate the learning process. This class requires the use of various methods of audio visuals such as PowerPoint presentations, audio, and video.

Reading Assignments

Students will read from the course textbook as well as any other primary and/or secondary readings assigned by the instructor.

Writing Assignments

Students will be required to complete written homework assignments, prepare documents related to an elder law action, and write essays on the exams.

Out-of-class Assignments

Outside of the classroom students will complete the required readings; work on assigned papers, reports, and projects; study for tests; conduct research; and communicate with the instructor and/or fellow students through telephone, email, discussion boards, or virtual chat.

Demonstration of Critical Thinking

Critical thinking will be demonstrated through written assignments, essays on exams, papers, and projects.

Required Writing, Problem Solving, Skills Demonstration

Group participation assignments to develop a compete case for a Conservatorship or other applicable elder law proceeding, including application of interviewing skills [this can be structured as an individual assignment if group participation is not available]

Eligible Disciplines

Law: J.D. or LL.B NOTE: Courses in aspects of law for application to a particular discipline may be classified, for minimum qualifications purposes in the discipline of the application. Master's degree required.

Textbooks Resources

1. Required Vietzen, L. Elder Law for Paralegals, ed. Aspen, 2011
Rationale: There are very few Elder Law textbooks available. This textbook covers the essential concepts which is still pertinent. The instructor can update the text with any necessary materials. Legacy
Textbook Transfer Data: Legacy text

Other Resources

1. Instructor developed materials prepared in advance and available to students through the book store 2. or a comparable text selected by the instructor and approved by the paralegal department. 3. Coastline Library