

Choosing an Elder Law Attorney

Elder law attorneys work primarily with the elderly, bringing to their clients practical knowledge of the law and available aging services as well as an understanding of real-life problems, health, and otherwise, that tend to crop up as people age.

Good elder law attorneys are usually tied into a formal or informal network of social workers, psychologists, and other eldercare professionals who may be able to help you.

Legal problems that affect the elderly are growing in number. Individual actions that older people take may have unintended legal effects. To avoid future problems, attorneys who deal with the elderly must have a broad understanding of the laws that affect a given situation.

In general, elder law attorneys address a wide range of issues, including:

- Preservation and transfer of assets seeking to avoid spousal impoverishment when a spouse enters a nursing home
- Medicaid
- Disability planning, including using durable powers of attorney, living trusts, and living wills for financial management and healthcare decisions.
- Conservatorships and guardianships
- Estate planning, including planning to manage your estate during life and its disposition when you die using trusts, wills, and other planning documents

- Probate
- Administering and managing trusts and estates
- Nursing home issues including questions of patients' rights and nursing home quality
- Elder abuse and fraud recovery cases
- Age discrimination in employment
- Retirement, including public and private retirement benefits, survivor benefits, and pension benefits

Before you hire an elder law attorney, ask these questions

- How long have you been in practice?
- Do you emphasize a particular area of law?
- How long have you been in the field?
- What percentage of your practice is devoted to elder law?
- Is there a fee for the first consultation? If there is a fee, how much is it?
- Given the nature of my problem, what information should I bring with me for our initial consultation?