THE OSGOODE CERTIFICATE IN ELDER LAW

January 29, February 12, 26, March 19, April 3, 2019
5 Days Over 9 Weeks • In Person

A unique program for legal advisors, healthcare professionals and others who work with older persons.

This 5-day intensive program is specifically designed by legal and health care experts to provide you with:

- The knowledge and tools to navigate the demanding, complex environment that is Elder Law
- A forum for developing a comprehensive knowledge of fundamental issues
- Practical skills so that you may better understand and serve your clients
- A networking opportunity to connect with professionals and colleagues working with elderly clients
- The opportunity to tap into a deep reservoir of practical, relevant information

Register today at:

osgoodepd.ca/elderlaw

Program Directors:

Jane E. Meadus
Barrister & Solicitor,
Institutional Advocate,
Advocacy Centre for the
Elderly (ACE)

Alexander Procope
Perez Bryan Procope LLP

Location:

Osgoode Professional Development
1 Dundas St. W., 26th Floor
Toronto, ON

Law Society of Ontario accredited EDI
Canadian College of Health Leaders / Collège canadien des leaders en santé
Health Leadership & Learning Network
Approved For LawPRO Risk Management Credit
Osgoode Hall Law School Professional Development
York University / Université York

Gain the knowledge you need to handle the challenging area of Elder Law, including:

- The role of advocacy: tips for being an effective advocate for older adults
- The aging process and recognizing and combating ageism
- Resident rights and prevention of abuse
- Tackling the misuse of powers of attorney
- The role of The Public Guardian and Trustee
- Privacy rights in long-term care, retirement and community settings
- Estate planning: communicating with elderly clients and their families
- Tackling elder investment fraud and financial exploitation
- The latest on capacity, substitute decision-making and health care consent
- Criminal law issues – older adult as the accused party
- Confronting the problems faced by the elderly in jail
- The future of elder law

Who Should Attend?

- Lawyers in private practice practicing in the areas of elder law, health law, wills and estates, family law and estate litigation
- In-house counsel
- Government lawyers
- Long-term care home personnel, including: Owners, Presidents/CEOs, Managers, Administrators
- Physicians and nurses
- Law enforcement – those working within vulnerable persons departments
- Social workers
- Allied health professionals

"Case studies and real life examples help bring the learning to life."

The Osgoode Certificate in Elder Law

> *I took [this certificate] with the intent of better understanding the associated civil laws and to develop a greater appreciation for the civil side of this complex issue. Without a doubt this course met my aim and exceeded my expectations. The course was well structured, extremely well organized, and professionally presented. The subject matter offered insight and thought provoking perspectives from a view not normally available to someone in law enforcement. It strengthened what I knew while increasing my awareness to what I did not know. In addition, the learning environment and meals were excellent. I would recommend this course to any law enforcement officer involved in the investigation of matters associated to vulnerable persons.*

Martin Franssen, Law Enforcement Officer

Over the course of five intensive one-day modules, you will: develop a **comprehensive** knowledge of the multidisciplinary nature of elder law, gain **practical** and **relevant** information on the various areas of law that intersect with caring for elderly clients, and expand your professional network.

This program goes beyond the traditional approach to the subject matter by exploring the aging process to better understand the circumstances of older adults. There is an emphasis on skills-based learning, with in-class lectures being supplemented with group exercises, role play simulations, case studies and peer interactions.

Our presenters include lawyers, physicians, representatives from The Office of the Public Guardian and Trustee, Ministry of Health and Long-Term Care, The Judiciary, Consent and Capacity Board, the Office of the Chief Coroner and the Correctional Investigator, Canada, and even an Investigative Reporter, ensuring a wide range of perspectives and in-depth coverage of the major issues.

Drawing on the expertise and experience of leading lawyers and healthcare professionals, including:

Program Directors

Jane E. Meadus
Barrister & Solicitor,
Institutional Advocate,
Advocacy Centre for the Elderly (ACE)

Alexander Procope
Perez Bryan Procope LLP

Advisory Board

Clare Burns
Weir Foulds LLP

Arthur Fish
Borden Ladner Gervais LLP

Mark Handelman
Firm Counsel, WEL Partners

Kathryn Pilkington
Director of Professional Services and Health Policy, AdvantAge Ontario

Register today at:
osgoodepd.ca/elderlaw

Program Faculty

Benjamin Arkin
Arkin Estate Law Professional Corporation

Christopher Assié
Neuberger & Partners LLP

Lauren Bates
Legal and Policy Writer and Researcher

Kelley Bryan
Perez Bryan Procope LLP

Clare Burns
WeirFoulds LLP

Dr. Carole Cohen
Clinical Director, Community Psychiatric Services for the Elderly, Sunnybrook Health Sciences Centre

The Hon. Justice Bernadette Dietrich
Ontario Superior Court of Justice

Mary Jane Dykeman
DDO Health Law

Arthur Fish
Borden Ladner Gervais LLP

Suzan Fraser
Principal, Fraser Advocacy

Matthew Furrow
Goddard Gamage LLP

Jan Goddard
Goddard Gamage LLP

Mark Handelman
BA, LLB, MHSC (Bioethics), Firm Counsel, Whaley Estate Litigation

D'Arcy J. Hiltz
Barrister & Solicitor

Kerry Knickle, LLM (ADR)
Communication Matters: *INSERSA*, Director, Simulated Participant Program, The Michener Institute at UHN

David Lepofsky
Visiting Professor (part-time), Osgoode Hall Law School, York University; Adjunct Faculty, University of Toronto Faculty of Law, Chair, AODA Alliance

Nina Lester
Senior Lawyer Member, Consent & Capacity Board

Wendy Lewis
Senior Manager, Compliance and Enforcement, Long-Term Care Inspections , Long-Term Care Homes Division, Ministry of Health and Long-Term Care

Karen A. Lindsay-Skynner
Barrister & Solicitor

Clara McGregor
Staff Litigation Lawyer, Advocacy Centre for the Elderly (ACE)

Nancy McNaughton, Med, PhD
Communication Matters: *INSERSA*, Director, Simulated Participant Program, The Michener Institute at UHN

Faith Madden
Manager, Home and Community Care, Mississauga Halton Local Health Integration Network

Jael Marques de Sousa
Counsel, Office of the Public Guardian and Trustee

Kate Mazzucco
Beacon Law

Jane E. Meadus
Barrister and Solicitor, Institutional Advocate, Advocacy Centre for the Elderly (ACE)

Angelique Moss
Casey & Moss LLP

Michael R. Newell
Assistant Crown Attorney, Durham Region

Patrizia Piccolo
Piccolo Heath LLP

Alfonso E. Campos Reales
Lerners LLP

Lonny Rosen, CS
Rosen Sunshine LLP

Karen Steward
Staff Litigation Lawyer, Advocacy Centre for the Elderly (ACE)

Anita Szigeti
Anita Szigeti Advocates

Laura Tamblyn Watts
Chief Public Policy Officer, CARP

Judith A. Wahl
Wahl Elder Law

Kimberly A. Whaley
WEL Partners

Graham Webb
Executive Director, Advocacy Centre for the Elderly (ACE)

Moira Welsh
Investigative Reporter, Toronto Star

Ivan Zinger, JD, PhD
Correctional Investigator of Canada, Government of Canada

Agenda

DAY 1:

January 29, 2019
9:00 a.m. – 4:30 p.m.
Introduction to Elder Law

Overview of the Legal Framework

Overview of the complex legal environment that is Elder Law, including legislation and case law.

Professionalism, Ethics and Older Persons

While the focus of this session is on the ethical conduct of lawyers, other professionals will also benefit from this discussion. Areas addressed include:

- Access to your client
- When can/should you talk to other family members?
- What to do when the integrity of the lawyer is being impugned
- Dealing with undue influence
- Handling conflicts of interest with family members
- What do you do if your client is being abused? – spotting the "red flags"

The Aging Process

This session focuses on understanding human aging, its impact on individuals, and what this means for those who work with older adults.

Interviewing Elderly People: Understanding Communication and Enhancing Interviewing Skills

Demonstration: Good Lawyer/Bad Lawyer

Following a presentation on communication skills, you will witness live and interactive demonstrations designed to help you enhance your interview skills. You will learn:

- Different approaches to communication
- When/how long to interview
- How to assess the impact of stress
- To be sensitive to pain and fatigue
- To recognize and be sensitive to cultural issues

Keynote Address:

"Ensuring a Fully Accessible Society"

David Lepofsky, Visiting Professor (part-time), Osgoode Hall Law School, York University; Adjunct Faculty, University of Toronto Faculty of Law; Chair, AODA Alliance

Faculty

Lauren Bates, Legal and Policy Writer and Researcher

D'Arcy J. Hiltz, Barriser & Solicitor

Graham Webb, Executive Director, Advocacy Centre for the Elderly (ACE)

Kerry Knickle, LLM (ADR), Communication Matters: *INERSA*; Director, Simulated Patient Program, The Michener Institute of Education at UHN

Nancy McNaughton, Med, PhD, Communication Matters: *INERSA*; Director, Simulated Patient Program, The Michener Institute of Education at UHN

Kelley Bryan, Perez Bryan Procope LLP

Benjamin Arkin, Arkin Estate Law Professional Corporation

DAY 2:

February 12, 2019
9:00 a.m. – 4:30 p.m.
Substitute Decision Making

- What is valid consent?
- Powers of attorney and substitute decision makers
- Determining best interests – what are the considerations?
- The role of the lawyer – ethical considerations when representing clients with diminished capacity
- The role of the Public Guardian and Trustee
- Understanding the Consent and Capacity Board process

Keynote Address:

"Judicial Perspective on Elder Law Disputes"

The Hon. Justice Bernadette Dietrich, Ontario Superior Court of Justice

Faculty

Jane E. Meadus, Barrister and Solicitor, Institutional Advocate, Advocacy Centre for the Elderly (ACE)

Lonny Rosen, CS, Rosen Sunshine LLP

Judith A. Wahl, Wahl Elder Law

Nina Lester, Senior Lawyer Member, Consent & Capacity Board

Jael Marques de Souza, Counsel, Office of the Public Guardian and Trustee

Jan Goddard, Goddard Gamage LLP

DAY 3:

February 26, 2019
9:00 a.m. – 4:00 p.m.
Common Elder Law Issues

- Predatory marriages
- The marriage contract
- Parent/adult child and sibling struggles
- Conducting family meetings
- Privacy in elder law
- Capacity in family law
- Estate planning: communicating with the elderly client and their family
- Ageism in the workplace
- Family law and property: issues around the elderly

Group Role Play/Simulation Exercise

To put your learning into practice, the afternoon of Day 3 is devoted to the ***"Betty Scenario"***, a detailed case study that delves deeply into the numerous legal, ethical, professional and practical issues raised in the morning sessions. Attendees will be divided into groups, each group facilitated by a lawyer.

Faculty

Patrizia Piccolo, Piccolo Heath LLP

Arthur Fish, Borden Ladner Gervais LLP

Karen A. Lindsay-Skynner, Barrister & Solicitor

Mary Jane Dykeman, DDO Health Law

Jane E. Meadus, Barrister and Solicitor, Institutional Advocate, Advocacy Centre for the Elderly

Alexander Procope, Perez Bryan Procope LLP

Kimberly A. Whaley, WEL Partners LLP

Angelique Moss, Casey & Moss LLP

DAY 4:

March 19, 2019
9:00 a.m. – 4:00 p.m.

Long-Term Care Homes, Retirement Homes, Community Based Services & Homecare: Navigating the System & Understanding the Legal Rules

- LHIN Services and other community options: navigating the system
- Complaints against LHIN and their services
- Appeals related to care services/eligibility for long term care
- Protecting retirement home residents
- Admissions to and living in long-term care
- Discharge to a long-term care home from a hospital
- Admission agreements: what to look out for
- Meeting cultural, linguistic or religious needs
- Detention – use of locked/secured units; use of restraints
- Sex and sexuality in long-term care: Issues regarding intimacy, privacy, consent and human rights

Elder Abuse

Recognizing the signs and responding to the challenges of:

- Physical and emotional abuse
- Financial abuse of elders

Faculty

Faith Madden, Manager, Home and Community Care, Mississauga Halton Local Health Integration Network

Karen Steward, Staff Litigation Lawyer, Advocacy Centre for the Elderly (ACE)

Jane E. Meadus, Barrister and Solicitor, Institutional Advocate, Advocacy Centre for the Elderly (ACE)

Wendy Lewis, Senior Manager, Compliance and Enforcement, Long-Term Care Inspections, Long-Term Care Homes Division, Ministry of Health and Long-Term Care

Clara McGregor, Staff Litigation Lawyer, Advocacy Centre for the Elderly (ACE)

Judith A. Wahl, Wahl Elder Law

Matthew Furrow, Goddard Gamage LLP

DAY 5:

April 3, 2019
9:00 a.m. – 4:00 p.m.

Effective Advocacy for the Elderly

Working Together to Better Serve the Older Client: What Lawyers and Healthcare Professionals Wish the Other Knew

In this interactive session led by a doctor and a lawyer, we will discuss how we can break down communication and terminology barriers, fill information gaps and find common understanding between professionals who serve elderly persons.

Advocacy in a Variety of Specific Practice Areas

- Long term care home negligence and personal injury
- Medical malpractice

Advocacy When the Older Adult is the Accused

- Mandatory charges in spousal abuse cases
- Mandatory obligation to contact police where there is an allegation of sexual assault in a long-term care home

Roundtable Panel Discussion: "The Future of Elder Law"

We close out the Certificate with an experienced panel of elder law practitioners who will enlighten us with their thoughts on the future of elder law incorporating every aspect of this practice.

Keynote Address:

"The Elderly, Journalism and Creating Change"

Moira Welsh, Investigative Reporter, Toronto Star

Faculty

Dr. Carole Cohen, MDCM, Clinical Director, Community Psychiatric Services for the Elderly, Sunnybrook Health Sciences Centre

Anita Szigeti, Anita Szigeti Advocates

Mark Handelman, BA, LLB, MHSC (Bioethics), Firm Counsel, Whaley Estate Litigation

Alfonso E. Campos Reales, Lerners LLP

Kate Mazzucco, Beacon Law

Ivan Zinger, JD, PhD, Correctional Investigator of Canada, Government of Canada

Michael R. Newell, Assistant Crown Attorney, Durham Region, Ontario Ministry of the Attorney General

Christopher Assié, Neuberger & Partners LLP

Laura Tamblyn-Watts, Chief Public Policy Officer, CARP

Jane E. Meadus, Barrister and Solicitor, Institutional Advocate, Advocacy Centre for the Elderly

Alexander Procope, Perez Bryan Procope LLP

Arthur Fish, Borden Ladner Gervais LLP

Suzan Fraser, Principal, Fraser Advocacy

Registration Details

Fee per Delegate

$2,595 plus HST

Fees include attendance, program materials, lunch and break refreshments. **Financial assistance is available to those who qualify – please visit www.osgoodepd.ca/financial-assistance for details.**

Program Changes

We will make every effort to present the program as advertised, but it may be necessary to change the date, location, speakers or content with little or no notice. In the event of program cancellation, York University's and Osgoode Hall Law School's liability is limited to reimbursement of paid fees.

Cancellations and Substitutions

Substitution of registrants is permitted at any time. If you are unable to find a substitute, a full refund is available if a cancellation request is received in writing 21 days prior to the program date. If a cancellation request is made with less than 21 days notice, a $150 administration fee will apply. No other refund is available.

For Further Program–Related Information please contact:

Myrsini Zacharakis at 416.278.7721

or email mzacharakis@osgoode.yorku.ca

Certificate of Program Completion

You will receive a certificate upon completion of **The Osgoode Certificate in Elder Law.** Participants must attend all program modules and **pass the post-program assessment** to receive a certificate.

4 Convenient Ways to Register

Mail | Online | Fax | Call

Register today at:
osgoodepd.ca/elderlaw

OsgoodePD has been approved as an Accredited Provider of Professionalism Content by the LSO.

Eligible CPD Hours – LSO (ON): 32h 40m (26h 40m Substantive, 4h 30m Professionalism, 1h 30m EDI)

MAINTENANCE OF CERTIFICATION – Attendance at this program entitles certified Canadian College of Health Leaders members (CHE/Fellow) to 10 Category II credits towards their maintenance of certification requirement.

OsgoodePD programs may be eligible for CPD/MCLE credits in other Canadian and US jurisdictions. To inquire about credit eligibility, please contact cpd@osgoode.yorku.ca.

"This program is a must for anyone who regularly works with the elderly. It was a unique opportunity to learn about the legal issues impacting the elderly from experts and to gain insights from fellow attendees from different practices and professions."

David Harris-Lowe, Barriston Law

"On the whole the course was EXCELLENT and time was well spent. All professions would benefit from it!"

Terry Tonkovich, Executive Director, Ivan Franko Homes

"I really enjoyed the legal perspective and the ability to interact with people working with the same patients that I do."

Ross Johnson, Medical Director and Attending Physician, LTC

"The knowledge I gained was incredibly valuable and it has helped me in the work I do."

Colleen Petersen, PRHC, Risk and Insurance Consultant

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