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

A 5-day intensive program specifically designed by legal and healthcare experts to provide you with the knowledge and tools needed to navigate the demanding, complex environment that is Elder Law. This program serves as a forum for developing comprehensive knowledge of fundamental issues, expanding your networks, and tapping into a deep reservoir of practical, relevant information.

Register today at:
osoogodepd.ca/elderlaw
Drawing on the expertise and experience of leading lawyers and healthcare professionals, including:

**Program Directors**

Jan Goddard  
Goddard Gamage Stephens LLP

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

**Program Faculty**

Jordan M. Atin, Hull & Hull LLP  
Karon C. Bales, Bales Beall LLP  
Lauren Bates, Senior Lawyer, Law Commission of Ontario  
Maia Bent, Partner, Lerners LLP  
Ellen Bessner, Babbin Bessner Spry  
Clare Burns, WeirFoulds LLP  
Dr. Carole Cohen, Clinical Director of the Psychiatric Services for the Elderly at Sunnybrook Health Sciences Centre  
Resa S. Eisen, M.S.W. RSW, Marathon Mediation  
Christine Elliott, Ontario’s Patient Ombudsman  
Duncan Embury, Nienstein Personal Injury Lawyers  
Arthur Fish, Borden Ladner Gervais LLP  
Dr. Heather Gilley, Division of Geriatric Medicine, St. Michael’s Hospital, Toronto; Assistant Professor, Division of Geriatric Medicine, Department of Medicine, University of Toronto  
Jan Goddard, Goddard Gamage Stephens LLP  
Mark Handelman, Firm Counsel, Whaley Estate Litigation  
Dr. Nadia Incardona, Toronto East General Hospital  
Kerry Knickle, INESRA Interim Co Director, Centre for Learning, Innovation and Simulation, The Michener Institute of Education at University Health Network  
Nina Lester, Senior Lawyer Member Consent and Capacity Board  
David Lepofsky, Volunteer Chair AODA Alliance, Accessibility for Ontarians with Disability Act Alliance  
Jael Marques de Souza, Counsel, Office of the Public Guardian and Trustee  
Nancy McNaughton, PhD, Managing Partner, Specialist Communication Matters: INESRA Interim Co Director, Centre for Learning, Innovation and Simulation, The Michener Institute of Education at University Health Network  
Jane Meadus, Barrister and Solicitor, Institutional Advocate, Advocacy Centre for the Elderly (ACE)  
Lisa Mizzi, Program Director, Client Services Community Collaboration, Central East Community Care Access Centre  
Michael R. Newell, Assistant Crown Attorney, Durham Region  
Mary Nestor, Sr. Manager, Ministry of Health and Long-Term Care  
Lonny Rosen CS, Rosen Sunshine LLP  
Karen A. Steward, Barrister and Solicitor, Advocacy Centre for the Elderly  
Marshall A. Swadron, Swadron Associates, Barristers & Solicitors  
Diana Tabak, MEd (S), Managing Partner, Specialist, Communication Matters: INESRA  
Laura Tamblyn Watts, Senior Fellow, Canadian Centre for Elder Law  
Christine Thomlinson, Rubin Thomlinson LLP  
Judith Wahl, Advocacy Centre for the Elderly (ACE)  
Graham Webb, Executive Director, Advocacy Centre for the Elderly (ACE)  
Kimberly A. Whaley, Whaley Estate Litigation  
Francesca Yaskiel, Barrister & Solicitor  
Ivan Zinger, J.D., Ph.D. Executive Director and General Counsel, Office of the Correctional Investigator

**Advisory Board**

Clare Burns, WeirFoulds LLP  
Jeff Cole, former Director, Contract Services, Central Community Care Access Centre (CCAC)  
Arthur Fish, Borden Ladner Gervais LLP  
Dr. Heather Gilley, Division of Geriatric Medicine, St. Michael’s Hospital, Toronto; Division of Geriatric Medicine, Department of Medicine, University of Toronto  
Mark Handelman, Firm Counsel, Whaley Estate Litigation  
Kathryn Pilkinson, Director of Professional Services and Health Policy, Ontario Association of Non-Profit Homes and Services for Seniors (OANHSS)  
Graham Webb, Executive Director, Advocacy Centre for the Elderly (ACE)
This program goes beyond the traditional approach to the subject matter, and explores the ageing 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, Consent and Capacity Board, and the Office of the Correctional Investigator, Canada, ensuring a wide range of perspectives and in-depth coverage of the major issues.

Key Benefits: What You Will Learn

- The role of advocacy: tips for being an effective advocate for older adults
- The ageing process and recognizing and combating ageism
- 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
- Tackling elder investment fraud and financial exploitation
- The latest on capacity, substitute decision making and health care consent

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
- Risk Managers in hospitals
- Social Workers
Agenda

Day 1: April 5, 2017
9:00 a.m. to 4:30 p.m.

Introduction to Elder Law

The Law as it Affects Older Persons
Overview of the complex legal environment that is Elder Law, including legislation and case law

Professionalism, Ethics and Older Clients
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
Led by geriatrician Dr. Heather Gilley, this session focuses on understanding human aging, its impact on individuals, and what this means for those who work with older adults

Role Play: Interviewing Elderly People
Day 1 ends with an interactive role play exercise designed to help you enhance your interviewing skills. In this session you will learn:
• When and 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, Volunteer Chair AODA Alliance, Accessibility for Ontarians with Disability Act Alliance

Day 2: April 20, 2017
9:00 a.m. to 4:30 p.m.

A Conversation with Dr. Lynn McDonald, The Life Course Perspective and its Impact on Legal Issues

The Life Course and how it Gives Rise to Legal Issues
Building upon concepts introduced in Day 1, this session will provide an overview of the life course approach to understanding the physical, psychological, social and cultural aspects of aging. Armed with this framework, you will be better placed to understand and overcome the challenges when working with older adults in the “common scenarios” session that immediately follows.

Common Scenarios
• Intergenerational transfer of a family business
• The marriage contract – is it carved in stone?
• Parent/adult child and sibling struggles
• Conducting family meetings
• Ageism in the workplace

Teaching Faculty
Arthur Fish, Borden Ladner Gervais
Jan Goddard, Goddard Gamage Stephens LLP
Dr. Lynn McDonald, U of T Professor, Faculty of Social Work, Scientific Director, National Institute for Care of the Elderly (NICE)
Karon C. Bales, Bales Beall LLP
Jordan M. Atin, Hull & Hull LLP
Christine Thomlinson, Rubin Thomlinson LLP
Resa S. Eisen, M.S.W., RSW, Marathon Mediation
Nina Lester, Senior Lawyer Member, Consent & Capacity Board
Judith Wahl, Advocacy Centre for the Elderly (ACE)
Jael Marques de Souza, Counsel, Office of the Public Guardian & Trustee
Kimberly Whaley, WEL Partners

Keynote Address:
“Legal Capacity, Guardianship and Decision Making!”
Lauren Bates, Law Commission of Ontario

Day 3: April 26, 2017
9:00 a.m. to 4:30 p.m.

Consent and Capacity
• The role of the Public Guardian and Trustee
• Understanding the Consent and Capacity Board process

Sex and Sexuality in Long Term Care
The final session of Day 2 focuses on overcoming the challenges for long term care facilities with regard to intimacy, privacy, consent and human rights.

Consent and Capacity
• What is valid consent? – the elements of 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

Faculty
Jan Goddard, Goddard Gamage Stephens LLP
Clare Burns, WeirFoulds LLP
Lauren Bates, Senior Lawyer, Law Commission of Ontario
Dr. Heather Gilley, Geriatrician, Division of Geriatric Medicine, St. Michael’s Hospital, Toronto; Assistant Professor, Division of Geriatric Medicine, Department of Medicine, University of Toronto
Kerry Knickle, LLM (ADR), Communication Matters: INESRA Interim Co Director, Centre for Learning, Innovation and Simulation, The Michener Institute of Education at University Health Network
Nancy McNaughton, PhD, Managing Partner, Specialist, Communication Matters: INESRA, Interim Co Director, Centre for Learning, Innovation and Simulation, The Michener Institute of Education at University Health Network
Diana Tabak, MEd (S), Managing Partner, Specialist, Communication Matters: INESRA
Meeting cultural, linguistic or religious needs
- detention - use of locked/secure units; use of restraints
- Preventing abuse and neglect in long term care settings

Elder Abuse
Recognizing the signs and responding to the challenges of:
- Physical and emotional abuse
- Financial abuse

Keynote Address:
“Confronting the Problems Faced by the Elderly in Jail”
Ivan Zinger, J.D., Ph.D. Executive Director and General Counsel, Office of the Correctional Investigation

Faculty
Judith Wahl, Advocacy Centre for the Elderly
Mark Handelman, Firm Counsel, WEL Partners
Lonny Rosen CS, Rosen Sunshine LLP
Dr. Nadia Incardona, Toronto East General Hospital
Marshall A. Swadron, Swadron Associates, Barristers & Solicitors

Day 4: May 3, 2017
9:00 a.m. to 4:30 p.m.

Dealing with Complex Ethical Situations – End of Life and Advance Care Planning
In this session, a lawyer and emergency room physician explore the legal and ethical challenges posed in this thorny area.

Group Role Play/Simulation Exercise
To put your learning into practice the afternoon of Day 3 employs the “Betty Scenario” a detailed case study that delves deeply into the numerous legal, ethical, professional and practical issues raised in the morning session. Attendees will be split into groups, each group facilitated by a lawyer.

Faculty
Jane Meadus, Barrister and Solicitor, Institutional Advocate, Advocacy Centre for the Elderly (ACE)
Lisa Mizzi, Program Director, Client Services, Community Collaboration, Central East Community Care Access Centre
Mary Nestor, Ministry of Health and Long Term Care
Graham Webb, Executive Director, Advocacy Centre for the Elderly (ACE)
Karen Steward, Barrister & Solicitor, Advocacy Centre for the Elderly (ACE)

Advocacy When the Older Adult is the Accused:
- Mandatory charges in spousal abuse cases
- Mandatory contacting of police in long term care homes in sexual assault allegations
- Aging in jails - Crown Diversion program

Roundtable Panel Discussion: “The Future of Elder Law”
Keynote Address:
“Ontario’s Patient Ombudsman”
Christine Elliot, Patient Ombudsman

Faculty
Arthur Fish, Borden Ladner Gervais
Laura Tamblyn Watts, Senior Fellow, Canadian Centre for Elder Law
Michael R. Newell, Assistant Crown Attorney, Durham Region
Graham Webb, Executive Director, Advocacy Centre for the Elderly (ACE)
Mark Handelman, WEL Partners
Maia Bent, Partner, Lerners LLP
Clare Burns, WeirFoulds LLP
Dr. Carole Cohen, Clinical Director of the Psychiatric Services for the Elderly at Sunnybrook Health Sciences Centre
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Dr. Heather Gilley, Geriatrician, Division of Geriatric Medicine, St. Michael’s Hospital, Toronto; Assistant Professor, Division of Geriatric Medicine, Department of Medicine, University of Toronto
Jane Meadus, Barrister and Solicitor, Institutional Advocate, Advocacy Centre for the Elderly (ACE)
Jan Goddard, Goddard Gamage Stephens LLP
Francesca Yaskiel, Barrister & Solicitor

Advocacy in a Variety of Specific Practice Areas
- Long term care home negligence and personal injury
- Medical malpractice

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

- CCAC Services and Other Community Options
- How do you navigate the system?
- Role of CCACs in admission to Long Term Care
- Complaints against CCAC 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
- Difficult to place applicants – what do you do about people who “fall between the cracks”
- Admission agreements: what to look out for

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 communications and terminology barriers, fill information gaps and find common understanding between professionals who serve elderly persons

Dr. Heather Gilley, Geriatrician, Division of Geriatric Medicine, St. Michael’s Hospital, Toronto; Assistant Professor, Division of Geriatric Medicine, Department of Medicine, University of Toronto
Jane Meadus, Barrister and Solicitor, Institutional Advocate, Advocacy Centre for the Elderly (ACE)
Jan Goddard, Goddard Gamage Stephens LLP
Francesca Yaskiel, Barrister & Solicitor
Registration Details

Fee per Delegate
$2,595 plus HST

Fees include attendance, program materials, continental breakfast, lunch and refreshments for each of the 5 days of the program. The price does not include accommodations. Please inquire about group discounts and financial assistance. Payment plan details below. Dress is business casual.

Are you a sole or small firm practitioner who works with diverse, marginalized and low income communities? Please contact financialaid-opd@osgoode.yorku.ca about a limited amount of bursary funding available.

*Note: Applications must be received on or before February 23, 2017.

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

Cancellations and Substitutions
If you are unable to attend the program your organization may name a replacement. A full refund will be issued for cancellations received a minimum of 21 days before the program start date. Written cancellations received after March 15, 2017 will be subject to an administration charge of $150. Non-attendance or withdrawal after the program start date (April 5, 2017) will result in complete forfeiture of the program fee. Payment must be received by March 17, 2017.

For Further Program–Related Information please contact:
Reheleh Pourkhodayar, Program Lawyer at 416.619.9351 or email reheleh@osgoode.yorku.ca

Certificate of Program Completion
You will receive a certificate upon completion of the Osgoode Certificate in Elder Law. Participants must attend the program modules and pass the post-program multiple choice assessment to receive a certificate.

4 Convenient Ways to Register

Register today at:
osgoodepd.ca/elderlaw

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

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