

THE OSGOODE CERTIFICATE IN ELDER LAW

March 31, April 7, 14, 21, 28, 2021

- 5 Days Over 5 Weeks
- Online – Live & Interactive

“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

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, health and elder care experts to provide you with the opportunity to tap into a deep reservoir of practical, relevant information, including:

- **Knowledge** and **tools** to navigate the demanding, complex environment that is Elder Law
- A **forum** for developing a comprehensive understanding of fundamental issues
- **Practical skills** for you to better understand and serve your clients
- A **networking** opportunity to connect with professionals and colleagues working with elderly clients

Featured Faculty:

The Hon. Justice Eileen E. Gillese, Court of Appeal for Ontario
“Reflections on the LTC Inquiry and How it Relates to Recent Events”

Program Directors

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

Alexander Procope
Perez Bryan Procope LLP

Location

ONLINE – Live & Interactive

Register today at:

[osgoodepd.ca/
elderlaw](http://osgoodepd.ca/elderlaw)



Health Leadership
& Learning Network

afhto association of family
health teams of ontario



OSGOODE
OSGOODE HALL LAW SCHOOL
PROFESSIONAL DEVELOPMENT

YORK
UNIVERSITÉ
UNIVERSITY

The Osgoode Certificate in Elder Law

With COVID-19 as the backdrop, this course will provide critical information on how the current situation has impacted elder law and your role in caring for and advising older adults.

Can't make a live session?

You have 120-day access to the captured program modules.

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

Over the course of five intensive one-day modules, this unique, interdisciplinary program will give you **practical** and **relevant** information on the various areas of law that intersect with caring for elderly clients.

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 lectures supplemented with group exercises, role play simulations, case studies and peer interactions.

Topics include consent, capacity and substitute decision making, powers of attorney, financial planning, privacy, estate planning and family law, end of life, abuse, and effective advocacy.

You will be able to expand your professional network and learn from: senior 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. This diversity ensures you will learn a wide range of perspectives, providing in-depth coverage of the major issues.

PLUS! Hear directly from **The Hon. Justice Eileen E. Gillese**, Court of Appeal for Ontario.



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
- The impact of COVID-19 on elder law
- Tackling the misuse of powers of attorney
- The role of the Public Guardian and Trustee
- The triage protocol during the pandemic
- Privacy Rights in long term care, retirement and community settings
- Estate planning: communicating with elderly clients and their families
- Trauma-informed services for elderly clients
- 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
- Long-term care home negligence and personal injury
- The future of elder law

Register today at:

osgoodepd.ca/elderlaw

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/Operators, Presidents/CEO's, Managers, Administrators
- Physicians and nurses
- Law enforcement – those working within vulnerable persons departments
- Social workers
- Allied health professionals

Agenda

DAY 1

March 31, 2021
8:50am – 4:30pm

Introduction to Elder Law

Law, Policy and Older Adults: Putting It into Context

Overview of the complex legal environment that is Elder Law, including legislation and case law and a discussion of COVID-19 specific areas of concern.

The Intersection of Ageism and Ableism

- Understanding how ageism and ableism interact and can result in discrimination of clients and other older adults
- Determining obligations under the human rights code for the equal treatment of older adults
- Dealing with ageism in the workplace

Understanding the Ageing Process

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

Interview Technique Demonstrations

Following a presentation on communication skills, you will witness live and interactive virtual 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:

“The Triage Protocol During COVID-19”

David Lepofsky

Visiting Professor (Part-Time), Osgoode Hall Law School, York University; Adjunct Faculty, University of Toronto Faculty of Law; Chair, AODA Alliance

FACULTY

Benjamin D. Arkin

Arkin Furrow Estate Law LLP

Kelley Bryan

Perez Bryan Procope LLP

Krista James

National Director, Canadian Centre for Elder Law

Kerry Knickle, LL.M. (ADR)

Communication Matters: *INESRA*, Director, Simulated Participant Program, The Michener Institute of Education 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

Barbara Liu, MD, FRCPC

Executive Director, Regional Geriatric Program of Toronto; Geriatric Medicine Postgraduate Program Director, University of Toronto

Nancy McNaughton, Med, PhD

Communication Matters: *INESRA*, Director, Centre for Learning, Innovation and Simulation, The Michener Institute of Education at UHN

Jane Meadus

Barrister and Solicitor, Institutional Advocate, Advocacy Centre for the Elderly

Patrizia Piccolo

Piccolo Heath LLP

DAY 2

April 7, 2021
9:00am – 4:30pm

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

FACULTY

Jane Meadus

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

Lora Patton

Full-time Vice-Chair, Consent and Capacity Board

Alexander Procope

Perez Bryan Procope LLP

Lonny Rosen, CS

Rosen Sunshine LLP

Judith A. Wahl

Wahl Elder Law, Past Executive Director, Advocacy Centre for the Elderly

Jan Goddard

Goddard Gamage LLP

DAY 3

April 14, 2021
9:00am – 4:30pm

Common Elder Law Issues

- Estate Planning: communicating with the Elderly Client and their Family
- Predatory marriages
- The marriage contract
- Parent/adult child and sibling struggles
- Conducting family meetings
- Privacy in elder law
- Capacity in family law
- Trauma informed services for elderly clients
- Role of the Public Guardian and Trustee

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

Karon Bales

Bales Beall LLP

Mary Jane Dykeman

INQ Data Law

Heather Hogan

Counsel, Office of the Public Guardian & Trustee

Karen Lindsay-Skynner

Barrister & Solicitor

Jane Meadus

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

Albert H. Oosterhoff

Firm Counsel, WEL Partners, Professor Emeritus, Faculty of Law, Western University

Alexander Procope

Perez Bryan Procope LLP

DAY 4

April 21, 2021

9:00am – 4:30pm

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

- Health services and other community options: navigating the system
- Complaints against health institutions
- 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
- Access and restrictions in congregate care and hospital settings

Elder Abuse

Recognizing the signs and responding to the challenges of:

- Physical and emotional abuse
- Financial abuse of elders

KEYNOTE ADDRESS:

“Reflections on the LTC Inquiry and How it Relates to Recent Events”

The Hon. Justice Eileen E. Gillese

Court of Appeal for Ontario

FACULTY

Clare Burns

WeirFoulds LLP

The Hon. Justice Eileen E. Gillese

Court of Appeal for Ontario

Faith Madden

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

Jane Meadus

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

Karen Steward

Staff Lawyer, Advocacy Centre for the Elderly (ACE)

Kim Whaley

WEL Partners

DAY 5

April 28, 2021

9:00am – 4:00pm

Effective Advocacy for the Elderly

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
- Confronting problems faced by the elderly in jail
- What do you do if you client is being abused?
 - spotting the “red flags”

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. Now more than ever a discussion about the future is critical.

FACULTY

Suzan Fraser

Fraser Advocacy

D’Arcy J. Hiltz

Barrister & Solicitor

Jane Meadus

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

Melissa Miller

Howie Sacks & Henry LLP

Michael R. Newell

Deputy Crown Attorney, Durham Region, Ontario Ministry of the Attorney General

Alexander Procope

Perez Bryan Procope LLP

Meghan Walker

Will Davidson LLP

Laura Tamblyn Watts

President, CanAge

Graham Webb

Executive Director, Advocacy Centre for the Elderly (ACE)

Ivan Zinger, JD, PhD

Correctional Investigator of Canada, Office of the Correctional Investigator

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

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Program Faculty

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Chair, AODA Alliance

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Deputy Crown Attorney, Durham Region,
Ontario Ministry of the Attorney General

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Firm Counsel, WEL Partners, Professor Emeritus,
Faculty of Law, Western University

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Kim Whaley

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Ivan Zinger, JD, PhD

Correctional Investigator of Canada,
Office of the Correctional Investigator

Registration Details

Fee per Delegate

\$2,595 plus HST

Newly Licensed (2018 – Present): \$1,297.50 plus HST

Fees include attendance, electronic materials and technical support.

Visit www.osgoodepd.ca/financial-assistance for details about financial assistance.

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, 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 multiple choice 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 55m CPD (28h 30m Substantive; 3h 25m Professionalism; 1h 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.



This program has been approved for LawPRO risk management credit.

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.

“The program was quite informative and eye-opening. It delves into the nuances of everything you need to know about consent and capacity.”

Angeline Douglas
Paralegal, Advocacy Centre for the Elderly

“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