

National Elder Law Foundation
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Attached is an edited variation of a Summary of Case form to help the process of filling out Section III, Itemization of Matters, for the Long Form Application and Re-certification Application.

Keep a copy of this form in the front of your client file or in a separate book. When the time comes to fill out your Long Form Application or Re-Certification Application, simply review what you have filled in on each Summary of Case form and enter the information on the grid and matter sheet.

Summary of Case

Matter #: _____ Date Case Opened: _____ Date Case Closed: _____

Check one or more of the following categories that applies to this case:

1. ___ Health and Personal Care Planning:

Did you give advice re: _____ HCPOA or _____ Living Will

Did you prepare: _____ HCPOA or _____ Living Will

2. ___ Pre-Mortem Legal Planning

Did you give advice re: _____ Will _____ Trust _____ Real Estate

Did you prepare: _____ Will _____ Trust _____ Deed

3. ___ Fiduciary Representation: Did you seek the appointment of, give advice to, represent or serve as:

_____ Executor _____ Guardian _____ Personal Representative

_____ Conservator _____ Attorney-in-fact _____ Representative Payee

_____ Trustee _____ Other formal or informal fiduciary

4. ___ Legal Capacity Counseling

_____ did you give advice regarding the level of capacity required for various legal activities?

_____ Did you serve as guardian ad litem?

5. ___ Public Benefits Advice

6. ___ Special Needs Counseling

7. ___ Advice on Insurance Matters

8. ___ Resident Rights Advocacy

9. ___ Housing Counseling

10. ___ Employment and Retirement Advice

11. ___ Counseling with regard to age and/or disability discrimination in employment and housing

12. ___ Litigation and Administrative Advocacy

Type of representation or counsel given: _____

Ultimate disposition of the matter: _____

Check each item that applies to this case:

_____ provided advice _____ drafted legal documents

_____ administered legal directives _____ participated in litigation relative to an elder law issue

Explanation of Categories

- 1.** Health and Personal Care Planning, including giving advice regarding, and preparing, advance medical directives (medical powers of attorney, living wills, and health care declarations) and counseling older persons, individuals with supplemental/special needs, attorneys-in-fact, and families about life care, medical and life-sustaining choices, and related personal life choices.
- 2.** Pre-Mortem Legal Planning, including giving advice and preparing documents regarding wills, trusts, durable general or financial powers of attorney, real estate, gifting, and the financial and income, estate and gift tax implications of any proposed action.
- 3.** Fiduciary Representation, including seeking the appointment of, giving advice to, representing, or serving as executor, personal representative, attorney-in-fact, trustee, guardian, conservator, representative payee, or other formal or informal fiduciary.
- 4.** Legal Capacity Counseling, including advising how capacity is determined and the level of capacity required for various legal activities, and representing those who are or may be the subject of guardianship/conservatorship proceedings or other protective arrangements.
- 5.** Public Benefits Advice, including planning for and assisting in obtaining Medicaid, Medicare, Social Security benefits, Supplemental Security Income, Veterans benefits and housing and food programs.
- 6.** Special Needs Counseling, including the planning, drafting and administration of special/supplemental needs trusts, housing, employment, education and related issues.
- 7.** Advice on Insurance Matters, including analyzing and explaining the types of insurance available, such as health, life, long term care, home care, COBRA, medigap, long term disability, dread disease, prescription coverage, and burial/funeral policies.
- 8.** Resident Rights Advocacy, including advising patients and residents of hospitals, nursing facilities, continuing care retirement communities, assisted living facilities, adult care facilities, and those cared for in their homes of their rights and appropriate remedies in matters such as admission, transfer and discharge policies, quality of care, and related issues.
- 9.** Housing Counseling, including reviewing the alternatives available and their financing such as: renovation loan programs, life care contracts, home equity conversion, reverse and other mortgage options.
- 10.** Employment and Retirement Advice, including pensions, retiree health benefits, unemployment benefits, and other benefits.
- 11.** Counseling with regard to age and/or disability discrimination in employment, housing and related areas.
- 12.** Litigation and Administrative Advocacy in connection with any of the above matters, including will contests, contested capacity issues, elder abuse (including financial or consumer fraud), fiduciary administration, public benefits, nursing home torts, and discrimination.

Of the 60 elder law matters, 40 must be in categories listed in 5.1.4.2.A. 1 through 5, with at least five matters in each category. Ten of the elder law matters must be in categories listed in 5.1.4.2.A. 6 through 12, with no more than five in any one category. The remaining 10 elder law matters may be in any category listed in 5.1.4.2.A. 1 through 12.